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Author and Title

Iowa. Laws, statutes, etc.
Acts and joint resolutions.

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Iowa. Laws, statutes, etc.
Acts and joint resolutions.

KFI	vol.
4225	1888
A224	

ACTS AND RESOLUTIONS

PASSED AT THE

REGULAR SESSION

OF THE

TWENTY-SECOND GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

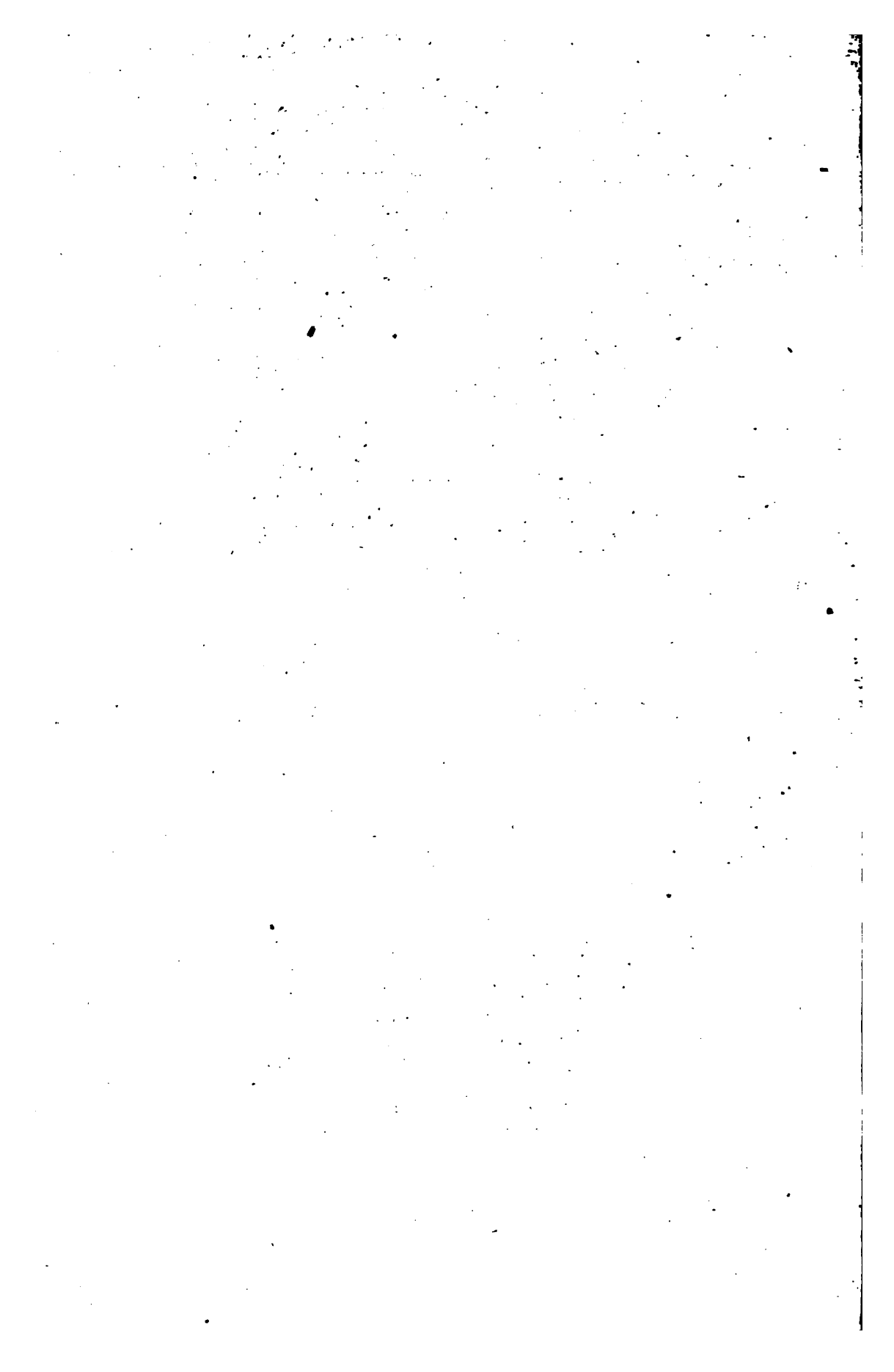
BEGUN JANUARY 9, AND ENDED APRIL 10, 1888.

PUBLISHED UNDER AUTHORITY OF THE STATE.

DES MOINES:

GEO. E. ROBERTS, STATE PRINTER.

1888.



STATE GOVERNMENT; 1888.

List of State Officers, Judges of the Supreme, District, and Superior Courts, and Members and Officers of the General Assembly, at the time of passage of Laws contained in this book.

EXECUTIVE DEPARTMENT.

NAME.	POSITION.	COUNTY FROM WHICH ORIGINALLY CHOSEN.
William Larrabee.....	Governor.....	Fayette.
John A. T. Hull.....	Lieutenant-Governor.....	Polk.
W. H. Redman.....	Speaker, House of Representatives....	Poweshiek.
Frank D. Jackson.....	Secretary of State.....	Jutler.
C. S. Byrkit.....	Deputy Secretary of State.....	Appanoose.
James A. Lyons.....	Auditor of State.....	Guthrie.
D. F. McCarthy.....	Deputy Auditor of State.....	Mitchell.
Voltaire P. Twombly....	Treasurer of State.....	Van Buren.
John Whitten.....	Deputy Treasurer of State.....	Van Buren.
Henry Sabin.....	Superintendent of Public Instruction..	Clinton.
Ira C. Kling.....	Deputy Supt. of Public Instruction...	Cerro Gordo.
George Roberts.....	State Printer.....	Webster.
L. S. Merchant.....	State Binder.....	Linn.
*William L. Alexander..	Adjutant-General.....	Lucas.
*Mrs. Mary H. Miller....	State Librarian.....	Polk.
*E. R. Hutchins.....	Commissioner of Labor Statistics.....	Polk.
*Chas Beardsley.....	State Inspector of Oils.....	Des Moines.
*Edward D. Carlton....	Fish Commissioner.....	Dickinson.
*Milliken Stalker.....	State Veterinary Surgeon.....	Keokuk.
*Henry D. Sherman....	Dairy Commissioner.....	Jones.
*Prof. L. G. Weld.....	Superintendent Weights and Measures.	Johnson.
*Peter A. Dey.....	} Railroad Commissioners.....	Johnson.
*Spencer Smith.....		Pottawattamie.
*Frank T. Campbell....	} Railroad Commissioners.....	Jasper.
W. W. Ainsworth.....		Polk.
P. W. Lewellen.....	President State Board of Health.....	Page.
Dr. J. F. Kennedy.....	Secretary State Board of Health.....	Polk.
*H. K. Snider.....	} Commission of Pharmacy.....	Poweshiek.
*John H. Pickett.....		Story.
*C. A. Weaver, Sec.....	} State Mine Inspectors.....	Polk.
*James E. Stout.....		Greene.
*James Gilroy.....	} State Mine Inspectors.....	Keokuk.
*Thomas Binks.....		Wapello.
*Fred'k W. Hossfeld....	Private Secretary to the Governor.....	Fayette.
*Ed. Wright.....	Custodian of Public Property.....	Polk.

*Appointed by the Governor.

JUDICIAL DEPARTMENT.

SUPREME COURT.

NAME.	POSITION.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
William H. SeEVERS.....	Chief Justice.....	Mahaska	Oskaloosa.
Joseph B. Reed.....	Judge	Pottawattamie....	Council Bluffs.
James H. Rothrock.....	Judge	Linn	Cedar Rapids.
Joseph M. Beck	Judge	Lee	Ft. Madison.
Gifford S. Robinson	Judge	Buena Vista.....	Storm Lake.
A. J. Baker.....	Attorney-General	Appanoose	Des Moines.
Gilbert B. Pray.....	Clerk	Hamilton.....	Des Moines.
Christopher T. Jones.....	Deputy Clerk.....	Washington	Des Moines.
Ezra C. Ebersole	Reporter	Tama.....	Toledo.

DISTRICT COURTS.

District.	NAME OF JUDGE.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
1	J. M. Casey	Lee	Ft. Madison.
	C. H. Phelps.....	Des Moines.....	Burlington.
2	H. C. Traverse.....	Davis	Bloomfield.
	Dell Stuart	Lucas	Chariton.
	Charles D. Leggett	Jefferson	Fairfield.
3	John W. Harvey.....	Decatur	Leon.
	R. C. McHenry	Ringgold	Mt. Ayr.
4	Charles H. Lewis	Cherokee	Cherokee.
	George W. Wakefield.....	Woodbury.....	Sioux City.
	Scott M. Ladd	O'Brien	Sheldon.
5	J. H. Henderson.....	Warren	Indianola.
	O. B. Ayers.....	Marion	Knoxville.
	A. W. Wilkinson	Madison	Winterset.
6	J. Kelly Johnson	Mahaska	Oskaloosa.
	David Ryan	Jasper	Newton.
	W. R. Lewis	Poweshiek. . . .	Montezuma.
7	C. M. Waterman.....	Scott	Davenport.
	W. F. Brannan	Muscatine	Muscatine.
	Andrew Howat.....	Clinton	Clinton.
8	S. H. Fairall.....	Johnson	Iowa City.
9	Josiah Given	Polk	Des Moines.
	W. F. Conrad.....	Polk	Des Moines.
	Marcus Kavanaugh, Jr	Polk	Des Moines.
10	C. F. Couch	Black Hawk.....	Waterloo.
	J. J. Ney.....	Buchanan	Independence.
	D. J. Lenehan	Dubuque	Dubuque.

STATE GOVERNMENT.

v

DISTRICT COURTS—CONTINUED.

District.	NAME OF JUDGE.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
11	D. D. Miracle.....	Hamilton.....	Webster City.
	John L. Stevens.....	Story.....	Ames.
	S. M. Weaver.....	Hardin.....	Iowa Falls.
12	John B. Cleland.....	Mitchell.....	Osage.
	George W. Ruddick.....	Bremer.....	Waverly.
13	L. O. Hatch.....	Clayton.....	McGregor.
	C. T. Granger.....	Allamakee.....	Waukon.
14	George H. Carr.....	Palo Alto.....	Emmetsburg.
	Lot Thomas.....	Buena Vista.....	Storm Lake.
15	A. B. Thornell.....	Fremont.....	Sidney.
	George Carson.....	Pottawattamie.....	Council Bluffs.
	H. E. Deemer.....	Montgomery.....	Red Oak.
	C. F. Loofbourow.....	Cass.....	Atlantic.
16	J. P. Conner.....	Crawford.....	Dennison.
	J. H. Macomber.....	Ida.....	Ida Grove.
17	L. G. Kinne.....	Tama.....	Toledo.
18	J. D. Giffen.....	Linn.....	Marion.
	J. H. Preston.....	Linn.....	Cedar Rapids.

SUPERIOR COURTS.

NAME OF JUDGE.	COUNTY FROM WHICH CHOSEN.	POST-OFFICE ADDRESS.
John T. Stoneman.....	Linn.....	Cedar Rapids.
E. E. Aylesworth.....	Pottawattamie.....	Council Bluffs.
George P. Wilson.....	Union.....	Creston.
Henry Banks, Jr.....	Lee.....	Keokuk.

TWENTY-SECOND GENERAL ASSEMBLY

OF THE

STATE OF IOWA.

SENATE.

District.	COUNTIES COMPRISING DISTRICT.	SENATORS.	POST-OFFICE.
11	Warren and Clarke.....	Barnett, James H.....	Indianola.
49	Lyon, Osceola, Sioux and O'Brien.....	Barrett, O. M.....	Sheldon.
36	Clayton.....	Bayless, F. D.....	Elkader.
24	Cedar and Jones.....	Bills, E. B.....	Durant.
34	Harrison, Monona and Crawford.....	Bolter, L. R.....	Logan.
43	Hancock, Franklin and Cerro Gordo.....	Brower, N. V.....	Garner.
17	Audubon, Dallas and Guthrie...	Caldwell, T. J.....	Adel.
15	Marion and Monroe.....	Cassatt, Ed. R.....	Pella.
20	Muscatine and Louisa.....	Chesebro, S. T.....	West Liberty.
7	Page and Fremont.....	Clark, Talton E.....	Clarinda.
42	Howard and Winneshiek.....	Converse, S. A.....	Cresco.
31	Boone and Story.....	Davidson, D. B.....	Madrid.
48	Sac, Carroll and Greene.....	Deal, John K.....	Carroll.
9	Des Moines.....	Dodge, W. W.....	Burlington.
12	Keokuk and Poweshiek.....	Dooley, James.....	What Cheer.
29	Jasper.....	Doud, M. P.....	Newton.
4	Lucas and Wayne.....	Dungan, Warren S.....	Chariton.
6	Adams and Taylor.....	Finn, George L.....	Bedford.
47	Clay, Dickinson, Emmet, Palo Alto, and Kossuth.....	Funk, A. B.....	Spirit Lake.
50	Buena Vista, Pocahontas and Humboldt.....	Garlock, A. O.....	Pocahontas Center.
30	Polk.....	Gatch, C. H.....	Des Moines.
19	Pottawattamie.....	Groneweg, William.....	Council Bluffs.
39	Butler and Bremer.....	Hanchett, L. S.....	Waverly.
5	Union, Ringgold and Decatur...	Harsh, J. B.....	Creston.
13	Wapello.....	Hutchison, J. G.....	Ottumwa.
23	Jackson.....	Kegler, A. G.....	Bellevue.
25	Iowa and Johnson.....	Kelly, M. J.....	Williamsburg.

SENATE—CONTINUED.

District.	COUNTIES COMPRISING DISTRICT.	SENATORS.	POST-OFFICE.
1	Lee.....	Kent, Wm. G.....	Ft. Madison.....
35	Dubuque.....	Knight, W. J.....	Dubuque.....
32	Woodbury.....	Lawrence, J. S.....	Sioux City.....
40	Allamakee and Fayette.....	Mattoon, L. B.....	Elgin.....
14	Mahaska.....	McCoy, Ben.....	Oskaloosa.....
27	Calhoun and Webster.....	McVay, J. D.....	Lake City.....
46	Cherokee, Ida and Plymouth.....	Meservey, A. F.....	Cherokee.....
28	Marshall.....	Mills, W. D.....	Marshalltown.....
38	Black Hawk and Grundy.....	Parrott, Matt.....	Waterloo.....
45	Benton and Tama.....	Poyneer, A. N.....	Montour.....
16	Adair and Madison.....	Price, Richard.....	Winterset.....
44	Chickasaw and Floyd.....	Reiniger, B. G.....	Charles City.....
21	Scott.....	Schmidt, Wm. O.....	Davenport.....
33	Buchanan and Delaware.....	Seeds, Ed. P.....	Manchester.....
26	Linn.....	Smith, J. H.....	Cedar Rapids.....
41	Mitchell, Worth and Winnebago.....	Sweeney, J. H.....	Osage.....
3	Appanoose and Davis.....	Taylor, W. H.....	Bloomfield.....
2	Jefferson and Van Buren.....	Vale, B. R.....	Bonaparte.....
37	Hamilton, Hardin and Wright.....	Weber, N. F.....	Clarion.....
8	Mills and Montgomery.....	Weidman, Thos.....	Red Oak.....
22	Clinton.....	Wolfe, P. B.....	De Witt.....
10	Henry and Washington.....	Woolson, John S.....	Mt. Pleasant.....
18	Cass and Shelby.....	Young, Lafayette.....	Atlantic.....

OFFICERS OF THE SENATE.

President—J. A. T. Hull, Des Moines, Polk county.
Secretary—Cloud H. Brock, Marshalltown, Marshall county.
Assistant Secretary—W. R. Cochrane, Bedford, Taylor county.
Second Assistant Secretary—E. D. Chassell, Osage, Mitchell county.
Engrossing Clerk—Nannie J. Stull, Keosauqua, Van Buren county.
Enrolling Clerk—Ida Huntsman, Oskaloosa, Mahaska county.
Sergeant-at-Arms—Richard Root, Keokuk, Lee county.
Bill Clerk—May C. Williams, Des Moines, Polk county.
Postmistress—Lizzie Hunter, Newton, Jasper county.
Door keeper—A. J. P. Barnes, Knoxville, Marion county.
Assistant Door-keepers—R. P. Harris, S. A. Moore, Wm. Priestly, R. Hutchings,
J. F. Weaver, J. Clark, W. T. Lyon, J. E. McMillan.

HOUSE OF REPRESENTATIVES.

District.	COUNTIES COMPOSING DISTRICT.	REPRESENTATIVES.	POST-OFFICE.
63	Hamilton.....	Anderson, Augustus....	Stratford.
27	Warren.....	Anderson, C. L.....	Ford.
15	Clarke.....	Agnew, W. G.....	Osceola.
19	Jefferson.....	Ball, Geo. W.....	Fairfield.
24	Keokuk.....	Beem, J. C.....	What Cheer.
37	Polk.....	Berryhill, Jas. G.....	Des Moines.
86	Cerro Gordo.....	Blythe, James E.....	Mason City.
7	Ringgold.....	Brown, William.....	Tingley.
45	Clinton.....	Buell, W. W.....	Lyons.
18	Wapello.....	Burgess, J. R.....	Ottumwa.
16	Lucas.....	Byers, H. L.....	Lucas.
67	Buchanan.....	Calvin, John.....	Newtonville.
11	Mills.....	Chantry, A. J.....	Malvern.
75	Wright.....	Chapman, A. S.....	Waterman.
84	Kossuth.....	Clarke, Andrew D.....	Algona.
1	Lee.....	Craig, John E.....	Keokuk.
29	Adair.....	Crooks, A. D.....	Greenfield.
37	Polk.....	Cummins, A. B.....	Des Moines.
45	Clinton.....	Curtis, G. M.....	Clinton.
38	Jasper.....	Custer, A.....	Monroe.
71	Fayette.....	Darnall, G. D.....	West Union.
56	Crawford.....	Davie, W. A.....	Dunlap.
89	Allamakee.....	Dayton, John F.....	Waukon.
43	Scott.....	Dietz, Philipp.....	Walcott.
78	Buena Vista.....	Dobson, G. L.....	Newell.
48	Linn.....	Doron, Joshua.....	Mt. Vernon.
65	Grundy.....	Draper, H. S.....	Conrad Grove.
80	Plymouth.....	Duus, A. M.....	Le Mars.
51	Marshall.....	Eckles, Charles.....	Marshalltown.
47	Jones.....	Eilers, G.....	Monticello.
10	Fremont.....	Estes, F. M.....	Sidney.
42	Muscatine.....	Evans, John A.....	West Liberty.
9	Page.....	Field, S. E.....	Shenandoah.
77	Clay, Pocahontas.....	Fillmore, Chas. W.....	Peterson.
88	Chickasaw.....	Foley, John.....	New Hampton.
53	Boone.....	Hall, John C.....	Boone.
48	Linn.....	Hamilton, Jno. T.....	Cedar Rapids.
64	Hardin.....	Hauser, Thomas N.....	Union.
31	Pottawattamie.....	Hart, R. S.....	Avoca.
54	Greene.....	Head, Albert.....	Jefferson.
48	Scott.....	Hipwell, Chas. G.....	Davenport.
61	Calhoun.....	Hobbs, Edgar L.....	Manson.
55	Carroll.....	Horton, Oliver.....	Glidden.
72	Bremer.....	Homrighaus, John.....	Denver.
81	Sioux.....	Hospers, Henry.....	Orange City.
8	Davis.....	Hotchkiss, L. D.....	Bloomfield.
60	Sac.....	Hunter, I. S.....	Schaller.
26	Marion.....	Jolly, Lafayette.....	Pleasantville.
25	Mahaska.....	Jones, Samuel W.....	Oskaloosa.
49	Benton.....	Kennan, John C.....	Vinton.

HOUSE OF REPRESENTATIVES—CONTINUED.

District.	COUNTIES COMPOSING DISTRICT	REPRESENTATIVES.	POST-OFFICE.
21	Des Moines.....	Kline, Fred W.....	Dodgeville.
90	Winneshiek.....	Larson, Nels.....	Hesper.
5	Wayne.....	Lewis, L. W.....	Seymour.
69	Dubuque.....	Limboch, A.....	Dyersville.
79	Cherokee.....	Lockin, J. C.....	Aurelia.
74	Franklin.....	Luke, J. W.....	Hampton.
28	Madison.....	Mack, J. H.....	Macksburg.
85	Winnebago, Hancock.....	Mahoney, John W.....	Forest City.
83	Dickinson, Emmet, Palo Alto..	McFarland, W. M.....	Estherville.
46	Jackson.....	Mitchell, Geo. L.....	Maquoketa.
50	Tama.....	Moore, R. H.....	Traer.
52	Story.....	Nelson, Oley.....	Slater.
59	Ida.....	Nicoll, D.....	Ida Grove.
68	Delaware.....	Oakman, W. C.....	Uniontown.
40	Iowa.....	Owen, Abraham.....	North English.
82	O'Brien.....	Parkhurst, E. F.....	Sheldon.
8	Taylor.....	Paschal, C. M.....	New Market.
44	Cedar.....	Piatt, H. C.....	Tipton.
39	Poweshiek.....	Redman, W. H.....	Montezuma.
58	Woodbury.....	Rice, R. C.....	Smithland.
22	Louisa.....	Riley, L. A.....	Wapello.
94	Lyon, Osceola.....	Roach, E. C.....	Rock Rapids.
14	Union.....	Robb, W. H.....	Creston.
32	Harrison.....	Roberts, B. F.....	Dunlap.
17	Monroe.....	Robeson, J. C.....	Albia.
57	Monona.....	Roe, F. F.....	Castana.
38	Shelby.....	Roundy, W.....	Manteno.
69	Dubuque.....	Rowan, James.....	Dubuque.
13	Adams.....	Russell, Ed. C.....	Corning.
76	Humboldt.....	Schleicher, J. M.....	Livermore.
35	Guthrie.....	Shipley, I. R.....	Yale.
98	Worth.....	Slosson, J. N.....	Northwood.
92	Mitchell.....	Smith, James A.....	Osage.
20	Henry.....	Steele, S. L.....	Mt. Pleasant.
6	Decatur.....	Teale, Thomas.....	Lamoni.
91	Howard.....	Theophilus, Wm.....	Cresco.
70	Clayton.....	Thompson, J. F.....	Elkader.
36	Dallas.....	Thornburg, T. A.....	Linden.
2	Van Buren.....	Thorniley, W. H.....	Utica.
23	Washington.....	Tipton, B. F.....	Lexington.
66	Black Hawk.....	Townsend, Edward.....	Cedar Falls.
41	Johnson.....	Wagner, Geo. W.....	Sharon Center.
34	Audubon.....	Walker, Wm.....	Grove.
87	Floyd.....	Wilbur, E. W.....	Rockford.
73	Butler.....	Wilson, Elwood.....	Shell Rock.
30	Cass.....	Wilson, Silas.....	Atlantic.
62	Webster.....	Woods, Isaac L.....	Clare.
4	Appanoose.....	Wyckoff, G. W.....	Cincinnati.
31	Pottawattamie.....	Wyman, A. W.....	Council Bluffs.
12	Montgomery.....	Yergey, John W.....	Villisca.

OFFICERS OF THE HOUSE.

Speaker—W. H. Redman, Montezuma, Poweshiek county.
Chief Clerk—D. C. Kolp, Ida Grove, Ida county.
Assistant Clerk—W. O. Payne, Nevada, Story county.
Second Assistant Clerk—J. L. Wilson, Milo, Warren county.
Engrossing Clerk—Mollie Hiest, Allerton, Wayne county.
Enrolling Clerk—Nettie Larimer, Chariton, Lucas county.
File Clerk—G. W. McNutt, Des Moines, Polk county.
Postmistress—Maud Murray, Winterset, Madison county.
Sergeant-at-Arms—M. H. Byers, Glenwood, Mills county.
Bill Clerk—Jessie Gaston, Ames, Story county.
Door-Keeper—J. Hefflefinger, Grundy Center, Grundy county.
Assistant Door-Keepers—A. J. Burton, Aug. Anderson, J. W. Nichol, D. P. Andrus, R. N. Dahlberg.

COMMISSIONERS IN OTHER STATES.

List of Commissioners for Iowa in other States, qualified to act as such this 1st day of June, 1888, whose terms of office will not expire prior to July 5th, 1888, published as required by section 274 of the Code of 1873, showing their name, post-office, date of commission, qualification, and expiration of commission.

CALIFORNIA.

NAME.	POST-OFFICE.	DATE OF TAK- ING EFFECT OF COMMISSION.	DATE OF EXPIRATION OF COMMISSION.
James L. King	San Francisco	Feb. 6, 1886	Feb. 5, 1889
Erastus V. Joice	San Francisco	Sept. 6, 1886	Sept. 5, 1889
F. R. Willis	Los Angeles	Sept. 20, 1887	Sept. 19, 1890
George T. Knox	San Francisco	April 9, 1888	April 9, 1891
M. T. Owens	Los Angeles	May 16, 1888	May 16, 1891

CONNECTICUT.

Henry E. Taintor	Hartford	Dec. 13, 1887	Dec. 12, 1890
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DAKOTA.

George Quimby	Carrington	April 26, 1886	April 25, 1889
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DISTRICT OF COLUMBIA.

John B. Beall	Washington	June 3, 1886	June 2, 1889
Chas. S. Bundy	Washington	Aug. 18, 1886	Aug. 17, 1889
R. H. Evans	Washington	Feb. 20, 1887	Feb. 19, 1890
W. W. Moffett	Washington	May 15, 1887	May 14, 1890

ILLINOIS.

Siméon W. King	Chicago	Aug. 14, 1886	Aug. 13, 1889
I. S. Wachob	Chicago	Feb. 20, 1887	Feb. 19, 1890
John Dunn	Chicago	March 15, 1887	March 14, 1890
A. A. Williard	Chicago	Feb. 23, 1888	Feb. 22, 1891

KANSAS.

Hugo Koch	Kansas City	Feb. 3, 1887	Feb. 2, 1890
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LOUISIANA.

Meloney C. Soniat	New Orleans	May 16, 1888	May 15, 1891
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MARYLAND.

Murray Hanson	Baltimore	Dec. 22, 1886	Dec. 21, 1889
Philip M. Hoffman	Baltimore	Jan. 20, 1887	Jan. 19, 1890
Walter D. Griseom	Baltimore	June 20, 1887	June 19, 1890
G. Evett Reardon	Baltimore	July 15, 1887	July 14, 1890

COMMISSIONERS IN OTHER STATES.

COMMISSIONERS IN OTHER STATES—CONTINUED.

MASSACHUSETTS.

NAME.	POST-OFFICE.	DATE OF TAK- ING EFFECT OF COMMISSION.	DATE OF EXPIRATION OF COMMISSION.
Chas. Hall Adams	Boston	Feb. 28, 1886	Feb. 27, 1889
John L. Coffin	Boston	March 26, 1886	March 25, 1889
David P. Kimball	Boston	July 1, 1887	June 30, 1890
James G. Harris	Boston	Feb. 7, 1888	Feb. 6, 1891
Edward J. Jones	Boston	Feb. 13, 1888	Feb. 12, 1891

MISSOURI.

McLain Jones	Springfield	Oct. 24, 1885	Oct. 23, 1888
Chas. D. Green, Jr.	St. Louis	Nov. 27, 1885	Nov. 26, 1888
Gilbert Elliott	St. Louis	Sept. 7, 1886	Sept. 6, 1889

NEW JERSEY.

Geo. P. Kingsley	Orange	Nov. 16, 1885	Nov. 15, 1888
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NEW YORK.

William S. Burns	Bath	August 3, 1885	August 2, 1888
Charles Nettleton	New York City	August 15, 1885	August 14, 1888
William H. Clarkson	New York City	Sept. 3, 1885	Sept. 2, 1888
Thomas F. Ward	New York City	Sept. 3, 1885	Sept. 2, 1888
Joseph B. Nones	New York City	Sept. 4, 1885	Sept. 3, 1888
Benj. E. Andrews	South Brooklyn	Nov. 20, 1885	Nov. 19, 1888
Chas. F. Lunt	New York City	Feb. 6, 1886	Feb. 5, 1889
Frederick A. Burnham	New York City	Feb. 15, 1886	Feb. 14, 1889
Edwin F. Corey	New York City	Feb. 19, 1886	Feb. 18, 1889
Joseph B. Brayman	New York City	April 26, 1886	April 25, 1889
M. D. Tenant	Westfield	May 5, 1886	May 4, 1889
Elias Lewis	Steuben	May 20, 1886	May 20, 1889
Albert H. Osborne	New York City	June 18, 1886	June 17, 1889
Rufus H. McHarg	New York City	Jan. 10, 1887	Jan. 9, 1890
William Johnson	Buffalo	Jan. 14, 1887	Jan. 13, 1890
Bernard J. Kelly	New York City	March 15, 1887	March 14, 1890
Thomas Kilvert	New York City	March 15, 1887	March 14, 1890
Lev. Schwab	New York City	April 25, 1887	April 24, 1890
Vincent Roseman	New York City	May 15, 1887	May 14, 1890
Simon Sternheimer	New York City	July 25, 1887	July 24, 1890
Alexander H. Nones	New York City	August 30, 1887	August 29, 1890
Chas. H. Hooper	New York City	August 20, 1887	August 19, 1890
Henry F. Glere	New York City	Oct. 1, 1887	Sept. 30, 1890
Thomas B. Clifford	New York City	Nov. 1, 1887	Oct. 31, 1890
George H. Corey	New York City	Dec. 1, 1887	Nov. 30, 1890
Eleazar Jackson	New York City	Dec. 12, 1887	Dec. 11, 1890
Frank W. Fullerton	New York City	Feb. 10, 1888	Feb. 9, 1891
John A. Hillery	New York City	Feb. 14, 1888	Feb. 13, 1891
S. A. Emanuel	New York City	May 25, 1888	May 24, 1891
Thomas W. Folsom	New York City	April 13, 1888	April 12, 1891
Charles Taylor	New York City	May 1, 1888	April 30, 1892

NORTH CAROLINA.

J. F. Miller	Bethama	April 25, 1888	April 24, 1891
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OHIO.

Samuel S. Carpenter	Cincinnati	July 14, 1885	July 13, 1888
Howard Douglas	Cincinnati	Dec. 6, 1886	Dec. 5, 1889
Lipman Levey	Cincinnati	Dec. 2, 1887	Dec. 2, 1890
Gabriel Netter	Cincinnati	March 5, 1888	March 4, 1891

COMMISSIONERS IN OTHER STATES—CONTINUED.

OREGON.

NAME.	POST-OFFICE.	DATE OF TAK- ING EFFECT OF COMMISSION.	DATE OF EXPIRATION OF COMMISSION.
Eugene D. White.....	Portland	Jan. 2, 1888	Jan. 1, 1891

PENNSYLVANIA.

Kinley J. Tener.....	Philadelphia.....	July 14, 1885	July 14, 1888
Samuel S. Taylor.....	Philadelphia.....	July 18, 1885	July 17, 1888
William F. Robb.....	Pittsburg.....	August 3, 1885	August 2, 1888
John H. Wheeler.....	Philadelphia.....	August 3, 1885	August 2, 1888
Theo. D. Rand.....	Philadelphia.....	Sept. 7, 1885	Sept. 6, 1888
Edward Shippen.....	Philadelphia.....	Jan. 9, 1886	Jan. 8, 1889
John Sparhawk.....	Philadelphia.....	Jan. 30, 1886	Jan. 29, 1889
Alexander Ramsey.....	Philadelphia.....	Dec. 27, 1886	Dec. 26, 1889
Thomas J. Hunt.....	Philadelphia.....	Dec. 27, 1886	Dec. 26, 1889
David E. Davis.....	Pittsburg.....	Jan. 13, 1887	Jan. 12, 1890
Otis Egan.....	Philadelphia.....	Feb. 14, 1887	Feb. 13, 1890
Albert L. Wilson.....	Philadelphia.....	June 24, 1887	June 23, 1890
Edward H. Cloud.....	Philadelphia.....	Dec. 1, 1887	Nov. 30, 1890

RHODE ISLAND.

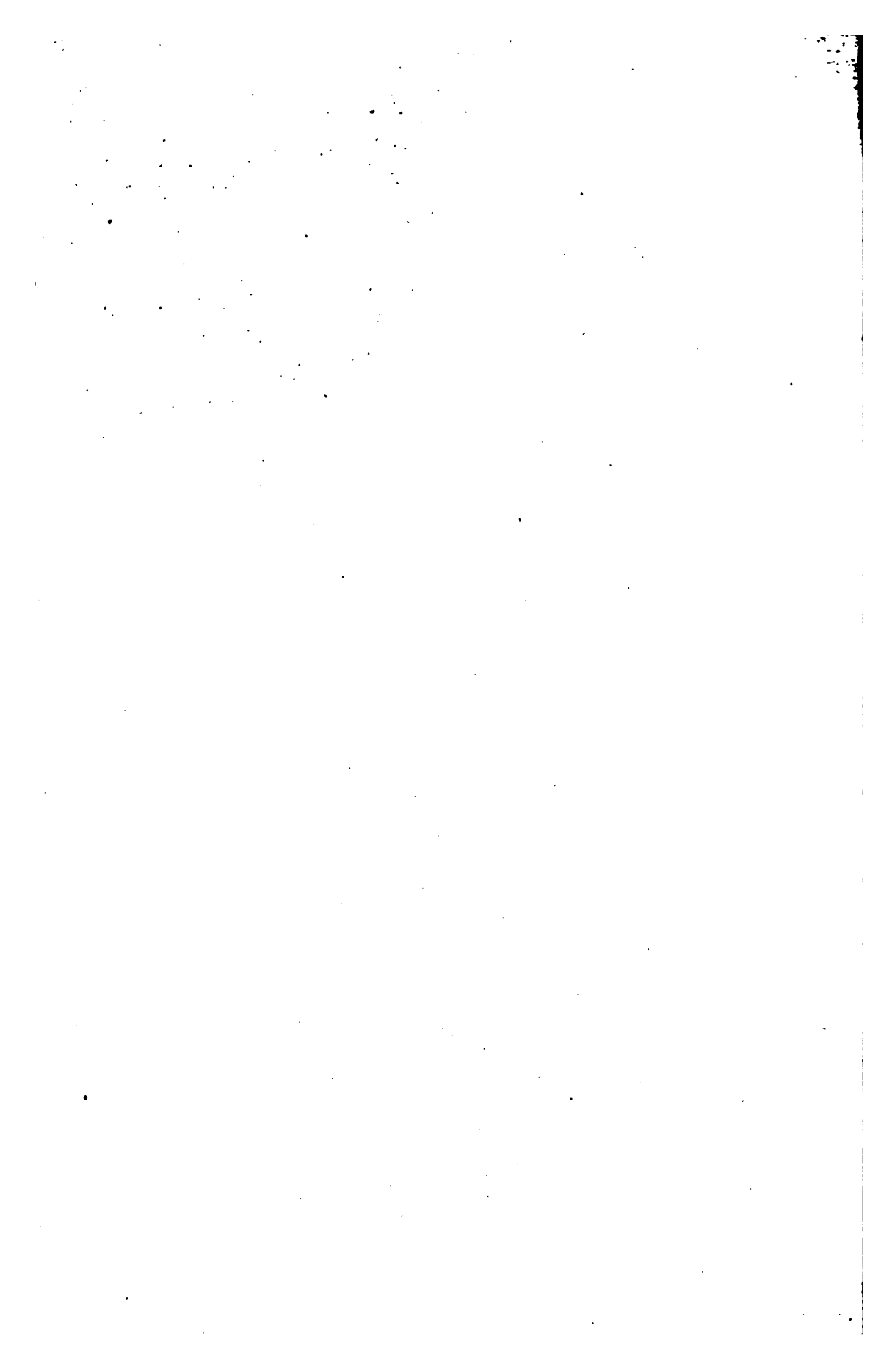
Gilman E. Jopp	Providence	August 5, 1886	August 4, 1889
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VERMONT.

George R. Bottum.....	Butland	June 15, 1887	June 14, 1890
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VIRGINIA.

William A. Hester.....	Halifax C. H.....	Feb. 18, 1887	Feb. 17, 1890
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LAWS OF 1888.

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2	An Act extending to cities organized under special charters the provision of chapter 192 of the acts of the Twentieth General Assembly. Approved March 12, 1888.	H. F. 332	
3	An Act to regulate the manner of issuing or paying city warrants in cities of the first and second class and cities organized under special charters. Approved April 12, 1888.	H. F. 6	
4	An Act to regulate the appropriation of money in certain cities of the first class. This bill having remained three days with the Governor without approval, became a law April 12, 1888.	H. F. 387	
5	An Act to repeal sections 2, 8, 5, 6, 10, 11 and 12 of chapter 168, acts of the Twenty-first General Assembly, and enacting a substitute therefor relative to making contracts by cities of the first class containing a population of over thirty thousand for paving and curbing streets and construction of sewers and the making and collection of assessments and issuance of bonds or certificates to pay for the same. Approved April 16, 1888.	H. F. 517	
6	An Act relating to the construction of sewers in cities having a population of more than thirty thousand according to the census of 1885, supplementary to chapter 162 of the acts of the Seventeenth General Assembly, entitled An act to authorize cities of the first class containing according to any legally authorized census or enumeration, a population of over thirty thousand, to provide for the construction of sewers additional to Code, chapter 10, title 4 concerning cities and towns, and to repeal chapter 166 of the acts of the Twenty-first General Assembly, relating to the construction of sewers. Approved April 16, 1888.	H. F. 379	
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13	An Act to amend section one (1) of chapter 51, acts Fifteenth General Assembly. Approved April 3, 1888	H. F.	388 18
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92	An Act to amend chapter III, of the acts of the 16th General Assembly by adding section three thereto, in regard to the construction of cattle ways across the public highways. Approved March 24, 1888	H. F. 145	130
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188	An Act making appropriations for Benedict Home. Approved April 16, 1888.....	H. F. 304	173
189	An Act for the relief of John Haidien of Webster county, Iowa, and authorizing the payment of his claim against the State of Iowa. Approved April 3, 1888.....	H. F. 260	174
140	An Act to legalize the acts of John Weighton, while acting in the capacity of Recorder of the incorporated town of Audubon, Iowa. Approved February 11, 1888.....	H. F. 80	175
141	An Act to legalize the organization of the township of Logan, in Sioux county, State of Iowa, and the election and acts of its officers. Approved March 12, 1888.....	H. F. 401	175
142	An Act to legalize the incorporation of the town of Hawarden, in Sioux county, Iowa, and the acts of the officers thereof. Approved March 12, 1888.....	H. F. 402	177
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145	An Act to legalize the acts and ordinances of the town council of the incorporated town of Aurelia, in Cherokee county, Iowa. Approved March 24, 1888.....	H. F. 487	180
146	An Act to legalize the incorporation and ordinances of the town of Northwood, Worth county, Iowa. Approved March 28, 1888.....	H. F. 444	181
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148	An Act to legalize the incorporation of the town of Primghar. Approved March 28, 1888.....	H. F. 484	184
149	An Act to legalize the incorporation of the town of Panama, Shelby county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town. Approved March 28, 1888.....	S. F. 299	185

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151	An Act to legalize the organization of the independent school district of Greenwood, in Chickasaw county, Iowa. Approved March 29, 1888.....	H. F.	535 187
152	An Act to legalize certain ordinances of the incorporated town of Griswold, Cass county, Iowa, and to legalize acts done thereunder. Approved March 29, 1888.....	H. F.	496 188
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158	An Act to legalize the city election of Knoxville, Iowa, of A. D. 1883, and to legalize the registry lists of voters made for and used at such election. Approved March 31, 1888...	H. F.	570 195
159	An act to legalize the incorporation of the town of Ackworth, in Warren county, Iowa; to legalize the ordinances of the town council of said town, and to legalize the acts of the officers of said incorporated town under the ordinances of said town. Approved April 3, 1888.....	H. F.	520 195
160	An Act to legalize the incorporation of the town of Deep River, Poweshiek county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town. Approved April 3, 1888.....	H. F.	602 196
161	An Act to legalize the ordinances of the city of Shenandoah. Approved April 3, 1888.....	H. F.	449 197
162	An Act to legalize certain acts and ordinances of the council of the incorporated town of Dow City, Crawford county, Iowa. Approved April 6, 1888.....	H. F.	610 198
163	An Act to legalize the ordinances of the town of Grand Junction, State of Iowa. Approved April 6, 1888.....	H. F.	184 196
164	An Act to legalize the incorporation of the town of Lohrville, and the corporate acts and ordinances thereof. Approved April 6, 1888.....	S. F.	376 199
165	An Act to legalize the acts and ordinances of Stuart in Guthrie and Adair counties, Iowa. Approved April 9, 1888.....	H. F.	547 200
166	An Act to legalize the proceedings of the town council of Maxwell, Story county, Iowa. Approved April 10, 1888...	H. F.	627 201

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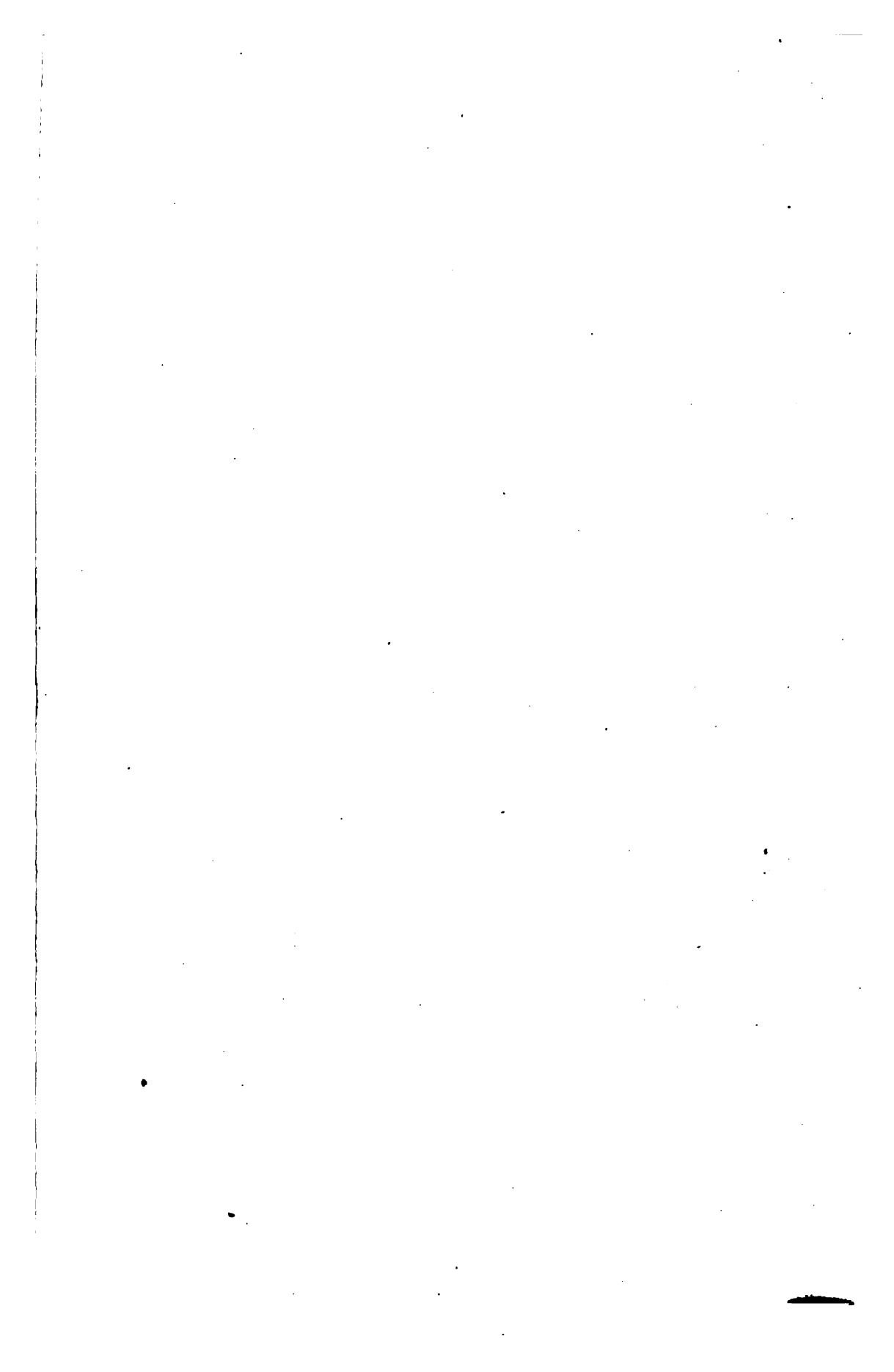
Chapter.	TITLE.	DESIGNA- TION OF ENGROSSED BILL.	Page.
167	An Act to legalize the incorporation of the town of Audubon in Audubon county, Iowa; to legalize the election of the officers of said town; to legalize the official acts of the officers of said town; to legalize the ordinances of said town and to legalize the assessments and taxes levied. Approved April 10, 1888.	H. F. 81	202
168	An Act legalizing certain proceedings of the board of supervisors of Jasper county, Iowa. Approved April 10, 1888.	S. F. 357	203
169	An Act to legalize the action of certain independent school districts. Approved April 11, 1888.	S. F. 423	204
170	An Act to legalize the transfer of certain bridge funds to general fund by the board of supervisors of Fayette county, Iowa. Approved April 9, 1888.	H. F. 623	205
171	An Act to legalize the incorporation of the town of Manilla, Crawford county, Iowa, the election of its town officers and all acts done and ordinances passed by the said town officers. Approved April 6, 1888.	H. F. 577	205
172	An Act to legalize the voting of aid by taxation in the township of Osage, Mitchell county, Iowa, to the Winona and Southwestern Railway Company. Approved April 6, 1888.	S. F. 417	206
173	An Act to legalize certain ordinances of the town of Sac City, Sac county, Iowa, and acts done thereunder. Approved March 30, 1888.	H. F. 537	207
174	An Act to legalize the organization and acts of the Clinton and Illinois Bridge Company. Approved March 8, 1888.	H. F. 502	210
175	An Act to legalize the assessment and levy of taxes for the years 1886 and 1887, made or collected under sub-division two, section 796 of the Code as amended. Approved March 28, 1888.	H. F. 28	211
176	An Act to legalize the incorporation of the Boone Valley Pure Bred Horse Association at Eagle Grove, Iowa, the election of its officers and all acts done by it. Approved April 3, 1888.	S. F. 366	211
177	An Act to legalize the acknowledgments of conveyances of Power of attorney made by Hazen Wilson attorney-in-fact for Joseph Webster. Approved April 10, 1888.	H. F. 534	212
178	An Act to legalize deed of Polk county, Iowa, to Judson K. Taylor for se 1 of ne 1, section 24, township 78, range 23, west 5th P. M. Approved March 23, 1888.	H. F. 460	213
179	An Act to legalize the acts of Joseph A. Elliott, of Appanoose county, as notary public. Approved March 23, 1888.	H. F. 492	213
180	An Act giving legislative assent to the purposes of the congressional act of March 2, 1887, in regard to the establishment of agricultural experiment stations in connection with agricultural colleges. Approved March 1, 1888.	S. F. 198	215
181	An Act to amend section 35, chapter 211 of the acts of the Sixth General Assembly, relative to publishing ordinances of the city of Camanche. Approved April 6, 1888.	H. F. 621	216
182	An Act appointing trustees for the cemetery for which John M. Kendall conveyed land at Indianola, Iowa, and declaring their duties. Approved March 30, 1888.	S. F. 406	216
183	An Act to extend the time for paying the indebtedness of the orphan asylum at Andrew, Iowa. Approved March 16, 1888.	S. F. 116	217

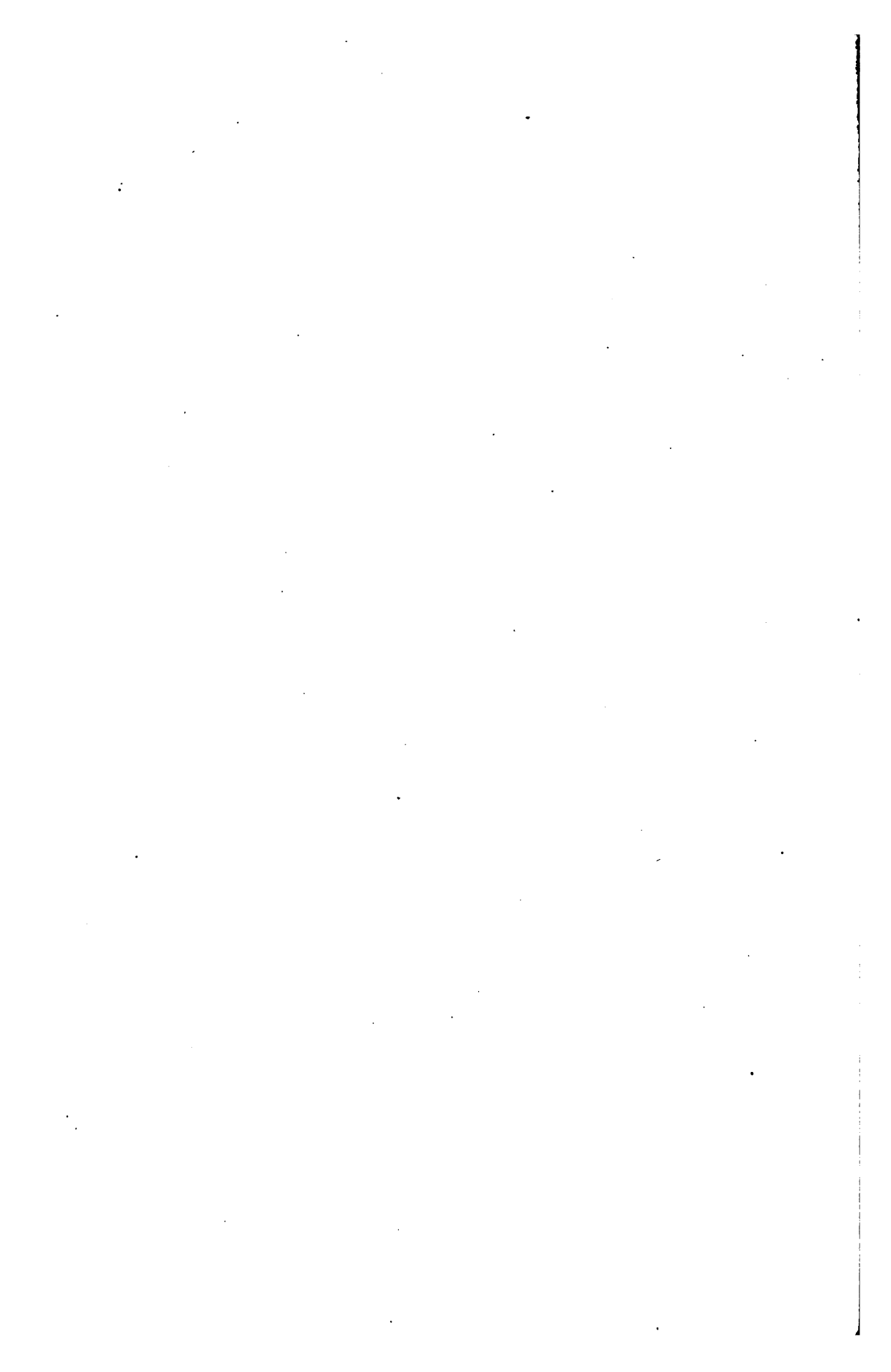
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Chapter.	TITLE.	DESIGNATION OF ENGROSSED BILLS.	Page.
184	An Act to amend an act approved March 20, 1882, entitled an act authorizing the executive council to sell and convey an island formed by accretion in the Mississippi river, and located in sections 34 and 35, township 78, range 3, east of the 5th P. M., in Scott county, Iowa. Approved March 16, 1888	H. F. 476	218
185	An Act to authorize the governor to lease lot 7 in block 33 in the city of Des Moines to the Governors' Guard, designated in the military organization of the State, as Company A, Third Regiment, Iowa National Guard. Approved March 10, 1888	S. F. 284	219
186	An Act granting to the Chicago, Burlington and Quincy Railroad Company, all the title and interest of the State of Iowa in and to certain grounds on the Des Moines river in the city of Ottumwa, Wapello county, Iowa. Approved March 23, 1888	H. F. 116	221
187	An Act to change the name of the county seat of Boone county, Iowa, from Boonsboro to Boone. Approved March 23, 1888	H. F. 483	223
188	An Act for the relief of William H. Birkhead, of Des Moines county, son of John S. Birkhead, late private in Co. H, 1st Iowa Cavalry. Approved April 13, 1888	S. F. 12	224
189	An Act authorizing the trustees of the Iowa Hospital for the Insane at Independence to purchase 180 acres of land adjoining the lands now owned by the State. Approved April 11, 1888	H. F. 149	225
190	An Act to provide for the appointment of a commission to examine and report to the Twenty-third General Assembly with reference to the employment of the blind people within this State. Approved April 13, 1888	H. F. 360	226
191	An Act to apportion the State into representative districts and declaring the ratio of representation. Approved April 12, 1888	H. F. 92	227
192	An Act to authorize and empower the executive council of the State of Iowa to sell and convey lots No. eleven (11) and twelve, (12) block six, (6) Scott's addition to the town of Des Moines, Iowa. Approved April 18, 1888	H. F. 625	231
193	An Act to provide for the levy of one half (½) mill State tax for the years 1888 and 1889 to pay the outstanding indebtedness of the State. Approved April 10, 1888	S. F. 290	232
194	An Act entitled an act to appropriate and make disposition of moneys which may come into the State treasury in pursuance to an act of Congress refunding to this State the amount paid to the general government under the direct tax act approved August 5", 1861. Approved April 11, 1888.	S. F. 425	232
195	An Act entitled "An act authorizing the Governor of the State to arrange with General William W. Belknap for his services in prosecuting the claims of this State against the general government on account of raising and enrolling troops for the service of the United States during the war of the rebellion." Approved April 6, 1888	S. F. 193	233
196	An Act to relinquish all right and title of the State of Iowa to the United States in the so called river lands, except the lands the title to which was certified by the United States to the State of Iowa by the joint resolution of Congress of March 2, 1861. Approved March 23, 1888	H. F. 549	234

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2	Relative to immediate repeal of that part of pension law known as the "arrears limit," also the enactment of a law granting pensions to all honorably discharged soldiers and sailors of the late war, and the adoption of the prisoners of war pension bill. Approved February 22, 1888	236
3	Extending the thanks of the General Assembly of Iowa to Col. Jed Lake for his zeal and ability in defending the driven well cases. February 4, 1888.....	237
4	Contemplating the permanent retention at the capital of the State of Iowa, of the records of the Government Land Office in Des Moines. Approved March 31, 1888.....	237
5	Relative to non-resident alien land owners. April 8, 1888... ..	238
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L A W S

OF THE

TWENTY-SECOND GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

PASSED AT THE REGULAR SESSION THEREOF, AT DES MOINES, THE
CAPITAL OF THE STATE, BEGUN ON THE NINTH DAY OF
JANUARY, AND ENDED ON THE TENTH DAY OF APRIL,
A. D. MDCCCLXXXVIII, IN THE FORTY SECOND
YEAR OF THE STATE.

PART I—GENERAL LAWS.

CITIES.

CHAPTER 1.

CREATING A BOARD OF PUBLIC WORKS.

AN ACT Creating in all Cities of the First Class having a Popula- H. F. 381.
tion According to any Legally Authorized Census of more than
Thirty Thousand Inhabitants, a Board of Public Works; and De-
fining the Powers and Duties of its Members.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. There shall be established and created in every city of the first class, having a population according to any legally authorized census of more than thirty thousand inhabitants, a board of public works, which shall consist of two members, residents of such city, to be appointed by the mayor, by

Board of pub-
lic works
created.

and with the approval of the city council, on or before the first Monday of April, 1889. One member shall be appointed for the term of two years, and the other for the term of three years, and they shall hold their office until their successors are duly appointed and qualified, and their successors shall be appointed in the manner hereinbefore provided for the term of three years. The mayor shall fill all vacancies occurring in said board by and with the approval of the city council but no member of the city council or city officer shall be appointed a member of said board.

Salary of
members of
board.

SEC. 2. The salary of each member of such board of public works shall be not less than fifteen hundred dollars (\$1500.) and not more than twenty-five hundred dollars (\$2500.) per year, as may be fixed by the city council, but the salary shall not be reduced during the term of office of any member. Each member of said board before entering upon the discharge of his duties, shall take an oath to faithfully discharge the duties of his office, and enter into a bond with the city with two or more good and sufficient sureties to be approved by the city council, in a sum not less than twenty thousand dollars (\$20,000). The conditions of said bond shall be for the faithful performance of the duties of such members, and no member of said board shall ever be directly or indirectly interested in any contract entered into by them, on behalf of such city, nor shall they be interested either directly or indirectly in the purchase or sale of any material to be used or applied in or about the uses and purposes contemplated by this act.

Consultation
with city en-
gineer.

SEC. 3. Said board shall consult the city engineer of such cities in regard to the plans, specifications and advisability of making any improvements, or doing any work contemplated by the provisions of this act, and the city engineer shall furnish said board, from time to time, estimates of the cost of material for any improvement to be ordered or advertised for by said board together with the plans and specifications therefor.

SEC. 4. Contracts for all public improvements made by said board of public works, shall be drawn by the city solicitor of such cities and he shall charge not less than three nor more than ten dollars for each contract, and said money shall be collected by him from the contractors, and pay the same monthly to the city treasurer for the use of such cities, and said charge shall include a copy of said contract and specifications to be furnished to such contractors.

Bids, con-
tracts, etc.

SEC. 5. Said board of public works shall advertise for bids and make all contracts on behalf of the city, for all material and work for public improvements in excess of two hundred dollars (\$200.), whenever the same shall be ordered by the city council, or voted for at some general or special election, by the voters of such cities, and proposals for bids shall be published, at least two weeks, in two of the daily newspapers in such cities, and said publication shall be completed at least two weeks before the making and entering into any contract by said

board. The proposals for bids shall state the amount and different kinds of material to be furnished and kind of improvement, and the time and conditions upon which bids shall be received. The board shall have power to reject any or all bids. All such contracts shall be made with the lowest bidder, but it shall not be necessary before proposals are published or bids received to determine specifically the kind of material to be used. All contracts made and entered into by said board shall be subject to the approval of the city council.

SEC. 6. Said board shall advertise for bids and make contracts for the lighting of streets, alleys and public places of such cities and for the removal of all garbage.

SEC. 7. Said board shall superintend the performance of all public work, and the erection or construction of all improvements contemplated by this act. It shall approve the estimates of the city engineer, which may be made from time to time, of the cost of work as the same progresses, to accept any work done or improvement made, when the same shall be fully completed, according to contract, subject to the approval of the city engineer, and they shall perform such other duties, as may be devolved upon them by ordinance or resolution of such city. Superintendent of public works.

SEC. 8. Whenever said board shall disapprove of the plans, specifications or estimates furnished by the city engineer, they shall report said fact at once in writing to the city council and state their reasons for such disapproval. Disapproval of plans.

SEC. 9. Said board shall take special charge of the construction, repairing and superintendence of all streets, alleys, highways, sidewalks, public grounds, cleaning streets and alleys, lamps and light for lighting the streets, alleys, highways, parks, public places and public buildings of such cities.

SEC. 10. It shall take special charge of the construction, repairing and superintendence of all paving, sewers, bridges, viaducts, public buildings and grading of streets and alleys, subject to the approval of the city engineer.

SEC. 11. Said board of public works shall control and direct all expenditures to be made by its department, and sign and draw orders for the same, and all orders given, bills and accounts created by said board of public works, shall first be endorsed by each of the members thereof, and approved by the city council, or they shall state their reasons in writing why they have not endorsed the same, before the same shall be ordered paid. Expenditures.

SEC. 12. Said board shall not order any extra work in excess of that contained in any contract, or pay out any money for any extras whatsoever, without submitting and recommending the same to the city council and receiving its authority therefor. Work in excess of contract.

SEC. 13. It shall have power to appoint agents and employes, subject to the approval of the city council, absolutely necessary for the doing of the work of said board, but such agents or employes shall be actually engaged in the construction or improvement of the public works of such city, and shall not include Appointing powers of board.

any assistants, superintendents, bookkeepers or secretaries, but said last named offices shall be filled and duties connected therewith performed by said board of public works, without extra compensation.

Plans for improvements must be approved by board.

SEC. 14. It shall require all plans and specifications for all buildings costing over five thousand dollars (\$5,000), according to the estimate of the contractor or builder, to be submitted to them for the joint approval of said board, and the city engineer, and no such building shall be erected until the above requirements have been complied with. It shall require any person before erecting any building or improvement within said city to first obtain a permit from said board of public works, and said board shall charge not more than one mill on the dollar of the cost of the construction of any such building or improvement, to be based on the architect's or builder's estimate, and the money derived and collected by said board for such purpose shall be by them monthly paid to the city treasurer for the benefit of the city.

As to fire protection.

SEC. 15. Said board shall have the power to require fire proof roofs to be used on all buildings erected in squares or blocks of such cities, when the outer walls thereof are constructed of non-combustible materials, and to require non-combustible material to be used in the outer walls of all buildings built or erected in such squares or blocks within the fire limits of such cities.

Mains.

SEC. 16. It shall have power and be required by and with the advice of the city engineer to superintend the laying of all water, gas, and steam heating mains and all connections therefor, and laying of telephone, telegraph, district telegraph and electric wires in the manner provided by the ordinances of such city.

Fire escape.

SEC. 17. It shall be the duty of such board to regulate the size, number and manner of construction of fire escapes, doors and stairways of theaters, tenement houses, audience rooms and all public buildings, whether now built or hereafter to be built, used for the gathering of a large number of people, so that there may be convenient, safe and speedy exit in case of fire.

Semi-annual report of board.

SEC. 18. Said board shall on the first day of April and the first day of December in each year, and at the expiration of the term of office of any member of said board, submit a full, complete and detailed statement to the city council of all work done by it, giving the amount of expenditures, and the names of the persons who have received any pay on account of such public work, and the amount of such pay, and for what the same was paid, and the number of permits issued, and the amounts received therefor. Such report shall further state that since the last report no member of said board has been directly or indirectly interested in any contract let by said board, or work ordered or superintended by them; that they have not been interested in the sale or purchase of any material used in the construction of said work or improvements, and that they have not

received, or expect to receive any presents or compensation from any contractor, or other person interested in said work or improvement, and said report shall be duly sworn to by each member of said board.

SEC. 19. Said board shall keep a full and complete record and copies of all contracts, plans, maps, specifications, plats, and record of every kind whatsoever, growing out of any work or improvement made or superintended by said board, and the number of all building permits issued, and the location and cost of such buildings and improvements, and shall keep a full account of all expenditures made by it since its last report. No member of said board shall purchase any material of any kind whatsoever, without giving a written order therefor, signed by at least one member of said board. Record.

SEC. 20. Any member of such board may at any time be removed from office by a vote of two thirds of the city council for sufficient cause, and the proceedings in that behalf shall be entered in the records of the council; *provided* that the council shall previously cause a copy of the charges against such member or members sought to be removed to be served upon him or them, together with a notice of the time and place of hearing the same at least ten days previous to the time assigned and opportunity to be given him or them to make his or their defense. Removal of members of board.

SEC. 21. Said board shall be provided with a suitable office with fuel, lights, stationary, (stationery) apparatus, utensils, etc., at the expense of the city. Office.

SEC. 22. Said board shall have such further powers and perform such duties as the city council may lawfully from time to time prescribe by ordinance not inconsistent with the provisions of this act. Further powers.

Approved April 9, 1888.

CHAPTER 2.

POWERS AND DUTIES OF MAYORS EXTENDED.

AN ACT Extending to Cities Organized Under Special Charters, the Provisions of Chapter 192 of the Acts of the Twentieth General Assembly. H. F. 332.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the provisions of chapter one hundred and ninety-two (192) of the acts of the Twentieth General Assembly relating to the powers and duties of mayors of cities of the first and second class, shall be and are hereby made applicable to cities organized under special charters. Applicable to cities under special charter

Approved March 12, 1888.

CHAPTER 3.

ISSUING OR PAYING CITY WARRANTS.

H. F. &

AN ACT to Regulate the Manner of Issuing or Paying City Warrants in Cities of the First and Second Class and Cities Organized Under Special Charters.

Be it enacted by the General Assembly of the State of Iowa:

Warrants
drawn only on
vote of coun-
cil.

SECTION 1. The city auditor or city clerk or other officer of such cities whose duty it is to draw warrants of any city of the first or second class or any city organized under special charter shall not draw any warrant, except upon the vote of the city council, and he shall on the first Monday of each month furnish the council a sworn and complete list of all warrants, and the amount thereof drawn by him during the preceding month, and such list shall state on whose account, and the object and purposes for which the same were drawn, and the auditor or other proper officer of such city shall publish such report monthly in the official newspaper of such city.

Descriptive
list of warrants
presented for
payment.

SECTION 2. The city treasurer of such cities shall keep a list of all warrants presented for payment, and the date of presentation and of the particular fund upon which they are drawn. Warrants so presented where there are no monies (moneys) in the funds on which they are drawn to pay the same, shall be endorsed as follows: "Presented and not paid for want of funds," and thereafter such warrants shall bear interest at the rate of six per cent. (6 %) per annum, except warrants issued by a resolution of the city council, or contract with the city in which it is provided that they shall not bear interest. Warrants shall be paid in the order of their presentation from the particular fund upon which they are drawn, and whenever there is an accumulation in the city treasury of any city of the first class or city organized under a special charter the sum of two thousand, five hundred dollars (\$2500) or in the city treasury of any city of the second class the sum of five hundred (\$500), in any fund or sufficient to pay all warrants drawn on that fund, he shall call in warrants to the amount of such fund for payment in the order of their presentation or the city council may at any time direct a call. The notice of such call shall be published in two of the daily newspapers of the cities of the first class or cities organized under special charters for one week, and in one daily or weekly newspaper in cities of second class or cities organized under special charters, and shall state that after a certain date, no interest will be paid on warrants therein described. He shall set out in such notice the several numbers of warrants to

Warrants
called.

be paid. Warrants issued by any such cities shall not be tendered or received by the county treasurer in payment of city taxes.

SEC. 3. The city auditor or other proper officer shall draw no single warrant for an amount in excess of five hundred dollars, (\$500.)

Approved April 12, 1888.

CHAPTER 4.

APPROPRIATION OF MONEY IN CERTAIN CITIES.

AN ACT To regulate the Appropriation of Money in certain Cities H. F. 337.
of the first class.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. All cities of the first class shall make their appropriation for all the different expenditures of the city government for each fiscal year at or before the beginning thereof, and it shall be unlawful for the city council or any officer, agent or employe of the city, to issue any warrant, enter into any contract, or appropriate any money in excess of the amount thus appropriated, for the different expenses of the city, during the year for which said appropriation shall be made, and any such city shall not appropriate in the aggregate, an amount in excess of its annual legally authorized revenue, but nothing herein shall prevent such cities from anticipating their revenues for the year for which such appropriation was made, or from bonding or refunding their outstanding indebtedness, Provided, that this section shall not apply to cities of the first class organized since 1881.

Appropriations to be made before beginning of year.

SEC. 2. Such cities shall advertise in at least two newspapers published in said cities for three weeks, two insertions each week for bids for furnishing all supplies of every kind, for the several departments of [the] city, not required to be advertised for by the board of public works; said advertisements to be published two weeks before the beginning of each fiscal year. Each officer or board in charge of any department in said cities, shall furnish and file in the city clerk's office thirty days before the beginning of each fiscal year, a sworn, detailed statement of the supplies necessary for his or their department during the next fiscal year.

Advertisements for bids for supplies.

This bill having remained with the Governor three days (Sunday excepted), the General Assembly being in session, has become a law this 12th day of April, A. D. 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 5.

RELATIVE TO CONTRACTS BY CITIES OF THE FIRST CLASS.

H. F. 517.

AN ACT To Repeal Sections 2, 3, 5, 6, 10, 11, and 12 of Chapter 168, Acts of the Twenty-first General Assembly and enacting a substitute therefor relative to making contracts by Cities of the first class containing a population of over thirty thousand for Paving and Curbing streets and Construction of Sewers and the making and Collection of Assessments and issuance of Bonds or Certificates to pay for the same.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 2 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Board of public works to make contracts for materials.

Sec. 2. When the council of any such city shall direct the paving, curbing or sewerage of any street or streets the board of public works of such city shall make and enter into contracts for furnishing materials and for curbing and paving or sewerage, as the case may be, of any such street or streets either for the entire work in one contract or parts thereof in separate and specified sections as to them may seem best; provided that no work shall be done under any such contract until a certified copy shall have been filed in the office of the city clerk.

Sec. 2. That section 3 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Contract to be made in name of city.

Sec. 3. All such contracts shall be made by the board of public works in the name of the city upon such terms of payment as shall be fixed by the council and shall be made with the lowest bidder or bidders upon sealed proposals after public notice for not less than three weeks in at least two newspapers of said city which notice shall state the kind and amount of work to be done and specify the different kinds of material for which bids shall be received.

Sec. 3. That section 5 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Duty of city engineers.

Sec. 5. It shall be the duty of the city engineer to furnish the Board of Public Works with proper grades

and lines and see that the work is done in accordance with the ordinances and regulations of the city with respect to such grades and lines.

SEC. 4. That section 6 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacting [enacted] in lieu thereof:

Sec. 6. For the purpose of providing for the payment of the cost and expense of any such improvement or improvements, the council shall be authorized from time to time, as the work progresses, upon estimates to be furnished by the Board of Public Works, to make requisitions upon the mayor of the city for the issue of bonds of the city in such sums as shall be deemed best, and it shall be the duty of the mayor to make and execute bonds accordingly in the name of the city to an amount not exceeding the amount of the contract price of any such improvement, and the incidentals attending the same. Said bonds to bear the name of the street or streets improved, to be signed by the mayor, and countersigned by the city clerk, and sealed with the corporate seal of the city, and shall all bear the same date, and be payable seven years after date, and redeemable at any time at the option of the city, and shall bear interest at the rate of not exceeding six per cent per annum, payable semi-annually.

Bonds to be issued in payment as work progresses.

Street improved to be named in bond.

SEC. 5. That section 10 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Sec. 10. When any such improvement shall have been completed it shall be the duty of the council to ascertain the entire amount of the bonds sold and the interest thereon to the date of completion which shall be taken to be the costs of such improvement and the entire amount of such cost, including the intersection of streets and alleys shall then be assessed by the Board of Public Works and City Engineer, constituting the Board of Assessors, upon the property fronting or abutting upon said improvement, provided that nothing in this act shall be construed as authorizing the council to assess a greater amount than three dollars, per lineal foot on account of the construction of sewers: and provided further that the cost of any such improvement shall not be assessed on property belonging to the State.

Cost of improvement to be assessed against abutting property.

SEC. 6. That section 11 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Sec. 11. The Board of Public Works shall cause a plat of the street or streets on which any improvement shall be made showing the separate lots of ground and the name of all such owners and the amount assessed

Plat of streets improved.

Names, plat,
costs, etc., to
be posted.

against each lot or piece of ground and shall give two weeks' notice in two newspapers of the city and by hand bills posted in conspicuous places on the line of such street or streets of the time and place where for the period of twenty days thereafter the same may be seen for the correction of errors, and after having corrected such errors as may be made known to them, said board shall file the same in the office of the city clerk and shall deliver a copy of said plat and schedule to the auditor of the county in which said city is situated.

SEC. 7. That section 12 of chapter 168, laws of the Twenty-first General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

Assessment to
be paid in in-
stallments.

SEC. 12. Said assessment shall be placed on the tax duplicate or list of the county and shall be payable at the office of the county treasurer in seven equal installments with interest at six per centum from the date of the assessment upon the unpaid portion thereof, the first of which with interest on the whole amount at six per cent shall be payable at the first semi annual payment of taxes next succeeding the time said assessment is placed on said duplicate and the others annually thereafter, and said assessment shall be collected in the same manner and bear the same penalties when delinquent as now provided by law for the collection of other taxes.

Publication.

SEC. 8. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa.

Approved April 16, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 20 and Des Moines Leader April 21, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 6.

CONSTRUCTION OF SEWERS.

AN ACT Relating to the Construction of Sewers in Cities Having a Population of more than Thirty Thousand According to the Census of 1885, Supplementary to Chapter 162 of the Acts of the Seventeenth General Assembly Entitled An Act to Authorize Cities of the First Class Containing According to any Legally Authorized Census or Enumeration, a Population of Over Thirty Thousand, to Provide for the Construction of Sewers, Additional to Code, Chapter 10, Title 4 Concerning Cities and Towns, and to Repeal Chapter 166, of the Acts of the Twenty-first General Assembly Relating to the Construction of Sewers. H. F. 379.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all cities of the first class containing according to the census of 1885 a population of over thirty thousand and authorized by section one (1) of chapter 162 of the acts of the Seventeenth General Assembly to provide by ordinance for the construction of sewers, shall have the power and be subject to the conditions and requirements hereinafter provided. Construction of sewers.

SEC. 2. Whenever cities subject to the provisions of this act shall deem it necessary to construct any sewer the council shall declare by resolution the necessity therefor and shall state the kind, size, location and designate the terminal points thereof and notice for twenty days of the passage of such resolution shall be given not less than two weeks nor more than four weeks in some newspaper of general circulation published in such city and by handbills posted in conspicuous places along the line of the proposed sewer. Said notices shall state the time and place when and where the property owners along the line of said proposed sewer can make objections to the necessity of the construction thereof. Twenty days' notice of resolution to be given.

SEC. 3. If the council shall thereafter determine to construct such sewer it shall declare the same by resolution stating the kind, size, terminal points thereof and location. The city engineer shall at once file the plans and specifications therefor in the office of the board of public works for public inspection and the proposals for bids and letting the contract shall be in compliance with the provisions of chapter 168, laws of the Twenty-first General Assembly and chapter 162, laws of the Seventeenth General Assembly and acts amendatory thereto. Plan and specifications to be filed with the board of public works.

SEC. 4. When the contract is awarded for the construction of said sewer, the board of public works, in connection with the Assessment on property benefited.

city engineer shall constitute the board of assessors and shall at once proceed to make the assessment on the various lots to be charged therewith in proportion, as nearly as may be to the benefits which in their opinion shall result from such sewer and such lots respectively and file the same with the city council as soon as practicable after the awarding of the contract and in estimating the benefits to result from such sewer no account shall be taken of improvements and each lot shall be considered as wholly unimproved.

Assessment to be published two weeks.

SEC. 5. Before adopting the assessments so made, the council shall publish notice for two consecutive weeks in some newspaper of general circulation in the corporation stating the time and place, when and where said assessments will be confirmed by the city council and if any person object to his assessment he shall file his objections in writing with the city clerk on or before such date and when the assessment is confirmed by the council it shall be complete and final.

SEC. 6. The concurrence of two thirds of the members of the city council shall be necessary to confirm the assessment made by the board of assessors.

When re-assessment may be ordered.

SEC. 7. When it shall appear to the council that a special assessment is invalid by reason of informality or irregularity in the proceedings or when any assessment shall be adjudged to be illegal by a court of competent jurisdiction, the council may order a re-assessment and the proceedings upon a re-assessment shall be conducted in the same manner as provided in respect to the original assessment.

Assessment not to exceed \$3 per foot on lots.

SEC. 8. There shall not be assessed to the lots or land adjacent to the line of any sewer an amount in excess of three dollars per lineal foot and whenever any assessment shall be made to the limit herein prescribed and the board of assessors and city council shall determine that certain lots or land adjacent to the line of such sewer is not benefited in whole or in part, the council shall order and deliver to the contractor a warrant drawn on the sewer fund for the amount that cannot be assessed on the property not benefited.

Chap. 166, acts 21 G. A., and chap. 162, acts 17 G. A. repealed.

SEC. 9. Chapter 166, laws of the Twenty-first General Assembly, the same being entitled, "An act supplementary to chapter 162 of the laws of the Seventeenth General Assembly" be and the same is hereby repealed.

Approved April 16, 1888.

CHAPTER 7.

CONSTRUCTION OF SEWERS.

AN ACT Granting Additional Powers to certain Cities of the First S. F. 218.
Class in the Construction of Sewers and to provide for the Payment of the Costs of the same, and to Repeal a part of Section 10 of Chapter 25 of the Acts of the Twentieth General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all cities of the first class that have been organized under the general incorporation laws of the State since the first day of January 1881, shall have power to levy a tax not exceeding five mills on the dollar of the assessed valuation of all taxable property within such cities for the purpose of creating a fund to pay the cost and expense incurred by such cities for the purpose of constructing sewers at the intersections of streets, highways, avenues, alleys or other places, where the costs and expenses incurred are not assessable against the fronting, abutting, or adjacent property as now provided by law, and to enable such cities to make such sewer improvements at intersections as aforesaid or to include and pay a part of the costs assessable against private property as is provided in section one (1) of chapter 162 acts of the Twentieth [Twentieth] General Assembly.

A tax not to exceed 5 mills may be levied for sewer purposes.

SEC. 2. That such cities shall have the power to anticipate said sewer tax and the collection of the same and to issue city sewerage bonds based on the anticipated levy and collection of said tax, which said bonds when so issued, to run for a period not exceeding twenty years and to create a sinking fund for the payment of said bonds with accrued and accruing interest and principal by the levy of such taxes therefor as now authorized by law a part of the revenue of which to be appropriated for the payment of said bonds out of said sinking fund as the city council shall provide by ordinance.

City sewerage bonds may be issued.

Approved April 13, 1888.

CHAPTER 8.

CONSTRUCTION OF SEWERS.

S. F. 204.

AN ACT To authorize Cities Organized under Special Charters to Provide for the Construction of Sewers.

Be it enacted by the General Assembly of the State of Iowa:

Certain cities
under spe-
cial charters
may con-
struct sew-
ers.

SECTION 1. That all cities in this State organized and existing under special charters having a population of not less than ten thousand nor more than fifteen thousand as shown by the now last preceding State census, shall have power to construct, re-construct and repair sewers or to authorize the construction, re-construction and repair of the same.

Cities divided
into districts.

SEC. 2. That all cities in this State organized and existing under special charters having a population of not less than ten thousand, nor more than fifteen thousand, as shown by the now last preceding State census may provide by ordinance for the construction, re-construction and repair of sewers or may divide the city into sewerage districts in such manner as the council may determine and pay the cost of the construction, re-construction and repairing the same out of the general revenue of the city or assess the cost upon the adjacent property or may levy a certain sewerage tax within the sewerage district out of which to pay for the construction, re-construction and repair of the same, or may pay a part of the cost of such construction, re-construction and repair out of the general revenue a part by the assessment of adjacent property and a part by levying a tax upon all the property within the sewerage district, or may pay for the same by pursuing any two of the methods herein named.

Tax may be
levied.

SEC. 3. That the whole of the sewerage tax to pay for the cost of constructing, re constructing and repairing sewers in any of the methods provided in the last section may be levied on the property at one time and the city council of any such city may provide by ordinance that such tax shall become payable and delinquent, part in the year in which same shall be levied and other parts in subsequent years, apportioning the same into as many parts and payable in as many years as the city council may by ordinance determine.

Contracts.

SEC. 4. In making contracts with contractors for the construction, re-construction or repair of sewers the contracts promising to pay the contractors may be made in negotiable form

and the city may therein agree to levy and order the collection of such tax therefor at such time or times as may have been provided by ordinance and to pay for such construction, reconstruction or repair from the proceeds of such tax when collected.

Approved March 24, 1888.

CHAPTER 9.

CONNECTIONS WITH SEWERS.

AN ACT to Repeal Section 9 of Chapter 116 of the Laws of the Twenty-first General Assembly and to Enact a Substitute in lieu thereof. H. F. 325.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That that portion of section 1 of chapter 116 of the acts of the Twenty-first General Assembly described as section 9, be and the same is hereby repealed and the following enacted in lieu thereof.

SEC. 9. That they shall also have power to compel all property owners on streets along which sewers shall have been constructed to make proper connections therewith and to use the same for proper purposes and in case the owners of property on such street shall fail to make such connections within the time fixed by such council they may cause such connections to be made and to assess against the property in front of which such connections are made the cost and expenses thereof.

Property owners to make proper connection with sewers.

Approved April 12, 1888.

CHAPTER 10.

ISSUE OF WATER WORKS BONDS.

AN ACT Providing for the Issue of Water-works Bonds by Cities of the Second Class. H. F. 325.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. In all cases when a city of the second class has determined or hereafter may determine to erect water works to be owned and operated by the city as provided in section number 471 of the Code, it shall be lawful for such city to issue its bonds to procure the money for such purpose to an amount not exceeding five per cent upon the taxable property of such city; but in no case shall the aggregate indebtedness of the city by

May issue bonds.

Money so procured not to be used for other purposes.

the issue of such bond be increased beyond the limit of indebtedness fixed by the constitution of the State; and no money procured upon the issue of such bonds shall be used for any other purpose than the erection of such water-works. No such bond shall bear a greater rate than six per cent interest, nor be drawn to run more than twenty years.

SEC. 2. This act being deemed of importance shall take effect and be in force from and after its publication in the *Des Moines Leader* and *Iowa State Register*, newspapers published at Des Moines, Iowa.

Publication.

Approved February 22, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* February 23, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 11.

ESTABLISHMENT OF WATER-WORKS, GAS AND ELECTRIC LIGHT PLANTS.

S. F. 288.

AN ACT to Amend Section 471 of the Code of 1873 Relating to the Power of Establishing Water-works by Cities and Towns, and Making the Powers Granted in Sections 472, 473, 474, and 475 of the Code of 1873 Applicable to Establishment of Gas Works or electric Light Plants and Providing for the Payment for the same by the Issuing of Bonds.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 471, code amended.

SECTION 1. That section 471 of the Code of 1873 be and the same is hereby amended by inserting in the first line thereof after the word "works" the following words: "Or to establish and maintain gas works or electric light plants, with all the necessary poles, wires, burners and other requisites of said gas works or electric light plants."

SEC. 2. That sections 472, 473, 474 and 475 of the Code of 1873 shall be held to apply to the establishment and maintenance [maintenance] of gas works and electric light plants as fully as they do to the erection of water works.

Cities may issue bonds for light plants.

SEC. 3. That incorporated cities and towns for the purpose of establishing such gas works or electric light plants shall have the power to issue their bonds running for not more than 20 years at a rate of interest not higher than 6% *provided*, that the total amount of indebtedness for all purposes in said cities shall not exceed the 5% of the assessed valuation of said cities as provided by the constitution.

Sec. 4. That no such gas works or electric light plant shall be established by any city or town until a majority of the legal voters thereof, at a general or special election, decide in favor of the same. The council may order the question, whether such gas works or electric light plant shall be established by the city or town, submitted to a vote as herein contemplated, at any general election, or at any election specially called for that purpose; or the mayor shall submit said question, upon the petition of 25 property owners of each ward in the city or town. Notice of said election shall be given in two newspapers published in said city or town if there are two, if not, then in one, for, at least, two consecutive weeks. The ballots shall either be printed or written and in the following form—"for electric light plant" (or "for gas works," as the case may be.) or, "against electric light plant," (or "against gas works").

Sec. 5. That this act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers printed in Des Moines, Iowa.

Approved April 9, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 12, and the *Des Moines Leader* April 11, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 12.

IMPROVEMENT OF PUBLIC PLACES, STREETS, HIGHWAYS, ETC.

AN ACT Granting Additional Authority to Certain Cities of the First class relating to the Improvement of Public Places, Street, Highway, Avenue and Alley Intersections, and to Provide a System of Payment Therefor. S. F. 220.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all cities of the first class that have been, or may be organized under the general incorporation laws of cities in this State since January 1, 1881, shall have power to levy not exceeding five mills on the dollar on the assessed valuation of all taxable property in such cities for the purpose of creating a fund to pay the costs and expenses incurred by such cities in the building of pavement or other city street improvement now authorized by law to be made by cities at the intersections of streets, highways, avenues, alleys or other places when the costs and expenses of such street improvements are not assessable against the fronting or abutting property and that such cities may anticipate the collection of said tax and issue city improvement bonds to run for a period not exceeding

Power to levy
5 mill tax for
paving.

twenty years and may create a sinking fund to pay the accrued and accruing interest and principal of said bonds at their maturity as the council shall provide by ordinance.

Approved April 3, 1888.

CHAPTER 13.

IMPROVEMENT OF ALLEYS IN CITIES OF THE FIRST-CLASS.

H. F. 333.

AN ACT to Amend Section one (1) of Chapter 51, Acts Fifteenth General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

Alleys may be improved.

SECTION 1. That so much of section one (1), chapter 51, acts of the Fifteenth General Assembly as requires cities of the first class to provide by ordinance for the improvement of alleys after presentation of petition by owner of property to be assessed, be and the same is hereby repealed and such cities of the first class organized under the general incorporation laws of the State may provide by ordinance how such improvements shall be made; and hereafter said cities of the first class may order an alley to be improved, graded or macadamized by resolution passed by an affirmative vote of two thirds ($\frac{2}{3}$) of such council and on voting on such resolution the yeas and nays shall be recorded.

Approved April 3, 1888.

CHAPTER 14.

IMPROVEMENTS OF STREETS, HIGHWAYS, AVENUES OR ALLEYS.

H. F. 44.

AN ACT Granting Additional Powers to Cities Organized under Special Charters with Reference to the Improvements of Streets Highways, Avenues or Alleys, and to Provide a System for Payment Therefor.

Be it enacted by the General Assembly of the State of Iowa:

Cities of special charter vested with

SECTION 1. That all cities in this State organized and existing under special charters, are hereby vested with all the power and authority conferred by chapter 20 of the acts of the Twentieth General Assembly of the State of Iowa upon cities of the first class therein named.

Sec. 2. That nothing in section one of this act shall be construed or considered as repealing any law now in existence granting authority to any cities incorporated under special charter but whatever authority upon any of the subjects in the foregoing law, is now in existence shall be deemed cumulative to the provisions of said section one hereof. .

Laws now in existence not repealed.

Approved April 10, 1888.

CHAPTER 15.

REPAIRING SIDEWALKS.

AN ACT to Amend Section 467 of the Code, in Relation to Repairing H. F. 65. Sidewalks.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 467 of the code, in relation to repairing sidewalks, be amended by striking out the word "permanent" after the words, "they shall have power to repair."

Sec. 467, Code, amended.

Approved April 9, 1888.

CHAPTER 16.

GRANTING ADDITIONAL POWERS TO CERTAIN CITIES.

AN ACT Granting Additional Powers to Certain Cities of the First Class and to Cities Organized Under Special Charters, and Cities of the Second Class Having Over 7,000 Inhabitants. H. F. 397.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all cities of the first class and cities of the second class having over 7,000 inhabitants and cities organized under special charters in this State in addition to the powers now granted, shall have the further and additional powers conferred by this act, as follows, to wit: they shall have power to establish, build and regulate market houses, slaughter houses; to license and regulate bill posters; to repair temporary sidewalks without notice to the property owner and provide by ordinance for the manner of assessing the expense thereof on the property in front of which such repairs are made; to remove snow or ice from the sidewalk without notice to the property owner and provide by ordinance for the manner of assessing the expense thereof on the property in front of which such snow

Additional power to certain cities.

Payment of expenses.

or ice shall be removed; provided, however, that the expense thereof shall not exceed one and one half cent per front foot of any lot; provided that the snow or ice has remained upon the walk for the period of fifteen hours; to repair paving, curbing, sewers and catch-basins; to regulate telegraph, telephone, electric light, district telegraph and other electric wires, and provide the manner in which, and places where the same shall be placed upon, along or under the streets and alleys of such city; to regulate the price of gas, electric light, water rates and to regulate and fix the charges for water meters, gas meters, electric light meters, or any other device or means necessary for determining the consumption of gas, water or electric light. This shall not be construed to authorize the passage of an ordinance or resolution on the making of any contract, whereby the above powers are abridged. To fix the charges for making gas, electric light, steam heating, water, telephone and district telegraph connections; to compel street railway companies, whenever any street is ordered paved to pave and maintain in width three and one half feet each way commencing at the center of the space between the rails, and in case of failure to do so to provide by ordinance for such paving and maintenance, and for the manner of assessing against such companies the cost thereof; to compel railroad companies to erect, construct, maintain and operate under such regulations as may from time to time be provided by the council, suitable gates upon public streets at railroad crossings; to provide that magazines used for the keeping of gun powder, inflammable oils and other combustibles, shall not be located or maintained within a certain distance of the corporate limits of such cities; to provide that before any association, company, society, order, exhibition or aggregation of persons shall parade or march upon the streets of such cities, that they shall first obtain from the mayor of such city a permit, when issued to be without charge, and the same shall state the time, manner and conditions of such parade or march; to provide by ordinance that the width of all streets and alleys, of all additions to such cities, shall be graded in the same manner, and that they shall conform to the width of the existing streets and alleys of such cities; to expel and remove from office, by a vote of three fourths of the members of the city council any elective officer of such city charged with any crime under the statutes of this State, and such removal shall be as provided by section 530 of the code, title 4, chapter 10, for the removal of members of the city council, to make its bonds for all purposes now provided by law or hereafter to be provided by law, payable on or before a date named, or payable at a time certain, as the city council may determine. And such cities shall have full control of the bridge fund levied and paid upon the property within their corporate limits, and shall have the right to use the same for the construction of bridges and culverts and approaches thereto, repairing the same and paying bridge bonds and interest thereon, issued by such city; and it is hereby made the duty

Electric wires.

Powers not abridged.

Street railway companies.

Parades must have permits.

Bridge funds.

of the board of supervisors of the counties within which such cities are located to levy annually upon all of the taxable property within such city such a per centum for that purpose as may be directed by the city council of such cities not exceeding the limit fixed by law: provided that no contract heretofore made respecting the application of the bridge tax shall be affected hereby.

Approved April 10, 1888.

CHAPTER 17.

FUNDING OUTSTANDING INDEBTEDNESS OF CERTAIN CITIES.

AN ACT Providing for Funding Certain Bonds and Outstanding In- S. F. 337.
debtedness of Certain Cities, and Authorizing Certain Cities to Fund Certain Outstanding Indebtedness, and to Provide for the Levy of Taxes for the Payment Thereof, and Providing a Penalty for the Diversion of Such Tax.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all cities organized under the general incorporation laws of the State, and having a population of five thousand or more according to the census of 1885, and whose outstanding indebtedness, evidenced by the warrants of said cities exceeds the sum of ten thousand dollars, are hereby authorized and empowered to fund the same and issue bonds of said cities therefor, in sums of not less than one hundred and not more than one thousand dollars each, having not more than twenty years to run, and bearing a rate of interest not exceeding six per cent. per annum, payable semi-annually. And such cities may also in the same manner refund the indebtedness of said corporations evidence by bonds thereof heretofore issued and outstanding at the time of the passage of this act.

Indebtedness
in excess of
\$10,000 may be
funded.

SEC. 2. Said bonds shall be substantially in the following Form of bond.

No:....the city of.....in the State of Iowa for value received promises to pay.....18..., or at any time before the date, at the pleasure of said city, the sum ofdollars, with interest at the rate of....per cent. per annum, payable semi-annually at on the.....days of.....and.....in each year, upon presentation and surrender of the interest coupons hereto attached. This bond is issued by the city council of said city, under the provisions of chapter.....of the acts of the Twenty-second General Assembly of the State of Iowa, and in conformity with a resolution of said city council, dated....day of18....

In testimony whereof the said city council of the city of have caused this bond to be signed by its mayor and attested by its auditor or clerk with the seal of said city affixed, this....day of.....18..

.....*Auditor or Clerk.*

.....*Mayor of the City of*.....

And the interest coupons attached to said bonds shall be substantially in the following form:

No.... The treasurer of the city of.....in the State of Iowa, will pay the holder thereof on the.....day of.....18.. at.....the sum of.....dollars, for interest on city bond No.... Series of.....issued under the provisions of chapter.....of the acts of the Twenty-second General Assembly of the State of Iowa.

.....

City Auditor or Clerk.

City treasurer
to sell bonds on
best terms.

SEC. 3. Whenever any bonds issued under the provisions of this chapter shall be duly executed, numbered consecutively and sealed, they shall be delivered to the treasurer of said city issuing the same, and his receipt taken therefor, and he shall stand charged on his official bond with all bonds so delivered to him and the proceeds thereof, and he shall sell them on the best available terms or exchange them for any legal indebtedness of said city, evidenced by the outstanding warrants or bonds of said city outstanding at the date of the final passage of this act, but in no case shall said bonds be so sold or exchanged for a less sum than their face value and all interest accrued at the date of said sale or exchange; and if any such bonds shall be sold for money, the proceeds thereof shall be applied exclusively to the payment of such bonds or indebtedness outstanding at the date of the final passage of this act. When they are exchanged for warrants of said city said treasurer shall at once cancel said warrants as by the ordinances of said city provided. He shall keep a record of all bonds sold or exchanged by him, by number, date of sale, amount, date of maturity, the name and address of the purchaser, and if exchanged, what evidences of debt were received therefor, which record shall at all times be open to the inspection of the citizens of said city; said treasurer shall also report under oath to the city council of said city, at each first regular session thereof in each month, a statement of all such bonds so sold or exchanged by him since his last report and the date of such sale or exchange, and when exchanged, a description of the city indebtedness exchanged therefor.

Record of
bonds sold to
be kept.

No bonds is-
sued in excess
of constitu-
tional limit.

SEC. 4. No bonds shall be issued under this act in excess of the constitutional limit nor for any other purposes than to fund the outstanding indebtedness of said cities evidenced by the warrants of said cities outstanding at the date of the final passage of this act, or to refund outstanding bonds, at such time or by contracts existing at such date and to be performed within the year 1888.

SEC. 5. The city council of all cities issuing bonds under and by virtue of this chapter shall cause to be assessed and levied each year upon all the taxable property of said city, in addition to the levy for other purposes, a sum sufficient to pay the interest on bonds outstanding issued in conformity with and by virtue of the provisions of this act, accruing before the next annual levy, and such proportion of the principal, that at the end of five years the sum raised shall equal at least twenty per cent of the amount of bonds issued; at the end of ten years at least forty per cent of said amount; at the end of fifteen years at least sixty-five per cent of said amount, and at or before the date of the maturity of said bonds a sum equal to the whole amount of the principal and interest, and the money arising from such levies shall be known as the bond fund, and shall be used for the payment of the bonds issued under and by virtue of the provisions of this act, and the interest thereon and for no other purpose.

Assessment for purposes of interest.

SEC. 6. Whenever the amount in the hands of the treasurer belonging to the bond fund, after deducting the amount required to pay the interest on said bonds maturing before the next levy, shall be sufficient to redeem one or more bonds, he shall notify the owner of such bond or bonds that he is prepared to pay the same with all interest accrued thereon, and if not presented for payment or redemption within thirty days after the date of such notice, the interest on such bonds shall cease and the amount due thereon shall be set aside for the payment thereof whenever presented. All redemptions shall be made in the exact order of their issuance, and the notice herein required shall be directed to the address of the owner of said bonds as shown by the record thereof kept in the treasurer's office.

Redemption of bonds.

If bonds not presented interest to cease.

SEC. 7. If the city council of any city which has issued bonds under the provisions of this act, shall fail to make the levy necessary to pay such bonds and interest coupons at maturity and the same shall have been presented to the treasurer of such city, and payment thereof refused, the owner may file the bond together with all unpaid coupons with the Auditor of State, taking his receipt therefor, and the same shall be registered in the Auditor's office, and the Executive Council at their next session as a board of equalization, and at each annual equalization thereafter shall add to the State tax to be levied in said city a sufficient rate to realize the amount of principal and interest past due and to become due prior to the next levy, and the same shall be collected as part of the State tax and paid into the State treasury and passed to the credit of such city, as bond tax, and shall be paid by warrants as the payments mature to the holder of such bond as shown by the register of the State Auditor, until the same shall be fully satisfied and

Unpaid bonds or coupons to be filed with State Auditor.

Right of holder to resort to other remedies not abridged.

discharged; *provided*, that nothing herein contained shall be construed to limit or postpone the right of any holder of any such bonds to resort to any other remedy which such holder might otherwise have.

Embezzlement.

SEC. 8. Any member of the council or any officer of any city levying and collecting taxes under the provisions of this act who shall in any manner participate in, or advise the diversion of said tax to any other purpose, than that provided for in this act shall be deemed guilty of the crime of embezzlement, and shall be punished accordingly.

Publication.

SEC. 9. This act being deemed by the General Assembly of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines.
Approved April 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 6, and the *Des Moines Leader* April 7, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 18.

LEVY OF ADDITIONAL TAX BY CITIES OF FIRST CLASS.

S. F. 402.

AN ACT To Empower Cities of the first class, organized as such since January 1, 1885, to Levy Taxes additional to section 461, Code.

Be it enacted by the General Assembly of the State of Iowa:

Tax of 3 mills to pay indebtedness for library.

SECTION 1. That all cities of the first class organized as such since January 1, 1885 that have accepted the benefits of the provisions of section 461 of the Code of Iowa, shall in addition to the powers conferred by said section have power to levy and collect a tax not to exceed 3 mills on the dollar of the assessed valuation of such city or town to pay the interest on any indebtedness heretofore contracted or that may hereafter be contracted or incurred for the purchase of land and the erection of buildings for a public library or the hiring of rooms or buildings for such purposes or for the compensations of the necessary employes as provided in section 461 of the Code and to create a sinking fund for the extinguishment of such indebtedness.

Approved April 11, 1888.

CHAPTER 19.

REFUNDING OUTSTANDING BONDED DEBTS, CITIES UNDER SPECIAL CHARTERS.

AN ACT to authorize cities organized under special charters to refund their outstanding bonded debt and to provide for the payment of the same. H. F. 43.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all cities in this State having a population of more than 2,000, organized and existing under special charters are hereby authorized and empowered if, by a vote of two thirds of the city council it be deemed for the public interest, to refund the indebtedness of any such city evidenced by the bonds thereof, heretofore issued, and outstanding at the time of the passage of this act and to issue the coupon bonds of such city in denominations of not less than one hundred dollars and not more than one thousand dollars and having not more than twenty years to run, redeemable in lawful money of the United States at maturity and bearing interest payable semi-annually at a rate not exceeding six per cent per annum. The principal of such bonds shall be made payable at the office of the treasurer of the city but the interest upon such bonds may be made payable either in the City of New York, State of New York or the City of Boston, State of Massachusetts, or the City of Chicago, State of Illinois or at the office of the treasurer of the city. Such bonds as well as the coupons, shall be canceled when paid and destroyed in the presence of the city council, which shall cause to be kept a register of all such bonds issued and also of all bonds or coupons which are canceled or destroyed. Such bonds shall be signed by the mayor of the city and attested by its clerk with the seal of the city attached and shall be so signed and attested in open session of the city council and a register shall be then made and kept thereof and such bonds so executed shall be at once delivered to the city treasurer of the city who shall be liable on his official bond for the safe keeping thereof and the proceeds thereof until he parts therewith under the direction of the city council.

How they may refund.

Cities where interest may be paid.

Cancellation of paid bonds.

SEC. 2. The bonds issued under this act shall be substantially in the following form: Form of bond.

"No
The city of in the State of Iowa for value received promises to pay or
order at the office of the treasurer of in
on the first day of the sum of

.....dollars, with interest thereon from date until paid at the rate ofper cent per annum payable semi-annually at thein the city of.....State ofon the first days ofin each year on presentation and surrender of the interest coupons hereto attached.

This bond is issued by the city council of said city under and in accordance with the provisions of chapterof the session laws of the Twenty-Second General Assembly of the State of Iowa and in conformity with a resolution of said city council dated.....day of.....18....

In testimony whereof the said city council of the city ofhas caused this bond to be signed by the mayor of said city and attested by its city clerk with the seal of said city attached thereto, this.....day of.....18....

And the interest coupons on each bond shall be in substantially the following form:

"The city of.....in the State of Iowa, will pay to the holder hereof on the.....day of.....18....at the.....in the city of.....in the State of.....dollars for interest on.....bond No.....issued under the provisions of chapter.....of the session laws of the Twenty-Second General Assembly of the State of Iowa" and such coupons shall be signed by the city clerk or recorder.

Bonds, how sold.

SEC. 3. The city council of any such city is hereby authorized to sell and dispose of the bonds issued under this act at not less than their par value and to apply the proceeds thereof to the redemption of the out standing bonded debt or may exchange such bonds for out standing bonds par for par, but the bonds hereby authorized shall be issued for no other purpose whatever, provided, however, that the city council of such city may if deemed advisable, appropriate not to exceed two per centum of the bonds herein authorized to pay the expenses of preparing, issuing, advertising and disposing of the same and may employ a financial agent therefor.

Expenses, how paid.

SEC. 4. The city council of any such city shall cause to be assessed and levied each year upon the taxable property of such city in addition to the levy authorized for other purposes a sufficient sum to pay the interest on all outstanding bonds issued in conformity with this act accruing before the next annual levy and also such proportion of the principal as shall fall due before such next annual levy and such city council may at its option in addition to the levy hereinbefore authorized levy an amount not exceeding two mills on the dollar of the assessed valuation of such city in any one year for the purpose of purchasing and canceling any of its bonds issued under this act before the maturity of the same. And the money arising from such levies shall be known as the bond fund and shall be used for the payment of the bonds and interest coupons and for the purchase and canceling of the bonds and for no other purpose

Tax for interest.

Additional levy not exceeding 10 mills.

whatever. And the treasurer of such city shall open and keep in his book a separate and special account thereof which shall at all times show the actual condition of such bond fund.

Bond fund and its use.

SEC. 5. The city council of any such city shall have power to purchase any of the bonds issued under this act before the maturity of the same and to this purpose may at its option appropriate any moneys in the bond fund not required to pay bonds or interest coupons maturing before the next annual levy, provided that in the purchase of such bonds there shall be paid in no case a premium to exceed five per centum of the face value of the bond above the amount actually due thereon.

Bonds purchased before maturity.

SEC. 6. If the city council of any such city which has issued bonds under the provisions of this act shall fail to make the levy necessary to pay such bonds or interest coupons at maturity and the same shall have been presented to the treasurer of any such city and payment thereof refused the owner may file the bond together with the unpaid coupons with the Auditor of State taking his receipt therefor and the same shall be registered in the Auditors office and the Executive Council shall at their next session as a board of equalization and at each annual equalization thereafter add to the state tax to be levied in such city a sufficient rate to realize the amount of principal or interest past due and to become due prior to the next levy and the same shall be levied and collected as a part of the state tax and paid into the state treasury and passed to the credit of such city as bond tax and shall be paid by warrant as the payments mature to the holder of such obligation as shown by the register in the office of the State Auditor until the same shall be fully satisfied and discharged provided that nothing herein shall be construed to limit or postpone the right of the holder of any such bonds to resort to any other remedy which such holder might otherwise have.

Unpaid bonds or coupons filed with State Auditor.

When and how paid.

SEC. 7. Nothing in this act shall take away, impair or interfere with the powers conferred by chapter 58 of the session laws of the Seventeenth General Assembly of the State of Iowa entitled "An act to authorize counties, cities and towns to refund outstanding bonded debt at a lower rate of interest and to provide for the payment of the same" as amended by chapter 140 of the session laws of the Eighteenth General Assembly of the State of Iowa, making the same applicable to cities organized under special charters.

Chap. 58, acts 17th G. A., not impaired.

SEC. 8. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader newspapers published in Des Moines Iowa.

Publication.

Approved March 10, 1888.

I hereby certify that the foregoing was published in the *Iowa State Register*, and *Des Moines Leader*, March 13, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 20.

AUTHORIZING INCORPORATED TOWNS TO REFUND BONDED DEBT.

H. F. 591.

AN ACT to Authorize Incorporated Towns to Refund Outstanding Bonded Debt.

*Be it enacted by the General Assembly of the State of Iowa:*Indebtedness
may be re-
funded

SECTION 1. That incorporated towns having outstanding bonded indebtedness of not less than one thousand dollars and past due at the time of the passage of this act are hereby authorized, by a vote of two thirds of the town council, to refund such indebtedness as evidenced by the bonds thereof, and to issue the coupon bonds of such corporation in sums not less than one hundred dollars nor more than one thousand dollars, having not more than twenty years to run, redeemable in lawful money of the United States at the pleasure of such corporation, after five years from the date of their issue, and bearing interest payable semi-annually at a rate not exceeding seven per centum per annum.

Publication.

SEC. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 13, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, April 18, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 21.

RELATING TO PROTECTION FROM FIRE IN CITIES OF THE FIRST CLASS.

H.F. 396.

AN ACT to Authorize Cities of the First Class to Make Regulations Against Danger or Accidents by Fire, to Establish Fire Limits and to Prohibit the Erection of Certain Buildings Within such Limits, and to Provide for the Removal of Buildings Erected Contrary to such Regulations.

*Be it enacted by the General Assembly of the State of Iowa:*May regulate
against danger
by fire.

SECTION 1. Cities of the first class, shall have power to make regulations against danger or accidents by fire, to establish fire limits and to prohibit the erection thereon of any

building or addition to any building unless the outer walls and roof thereof be made of brick and mortar or of iron and stone and mortar or of other non combustible material and to provide for the removal of any building or addition erected contrary to such prohibitions.

SEC. 2. The provisions of section 457 of the code of 1873 shall not apply to cities of the first class.

Sec. 457 of Code not to apply to cities of first class.

SEC. 3. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Iowa State Register and Des Moines Leader newspapers published at Des Moines, Iowa.

Publication.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 6, and *Des Moines Leader*, April 6, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 22.

ELECTION OF RECORDER, ASSESSOR, TREASURER AND COLLECTOR.

AN ACT to Amend Chapter Ninety-three (93) of the Laws of the H. F. 33. Twenty First General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That chapter ninety three (93) of the acts of the Twenty First General Assembly be and the same is hereby amended by inserting after the words "city marshal" in the third line of section three of said act, the words "recorder an assessor and treasurer and collector."

Chapter 23, acts 21 G. A. amended.

SEC. 2. This act being deemed of immediate importance shall be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Publication.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 5, and the *Des Moines Leader* April 6, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 23.

APPOINTMENT AND REMOVAL OF POLICEMEN.

S. F. 203. AN ACT to Provide for the Appointment and Removal of Policemen in Cities Organized under Special Charters.

Be it enacted by the General Assembly of the State of Iowa:

Policemen appointed or removed by mayor.

Publication.

SECTION 1. That in all cities in this State organized under special charters all policemen shall be appointed and may be removed by the mayor of such city.

SEC. 2. This act being deemed of importance shall take effect and be in force from and after its publication in the Des Moines Leader and Iowa State Register, newspapers published at Des Moines Iowa.

Approved March 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 6, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 24.

COMPENSATION OF MEMBERS OF CITY COUNCIL.

H. F. 384. AN ACT to Fix the Compensation to be Paid to Members of the City Council in Cities of the First-class.

Be it enacted by the General Assembly of the State of Iowa:

Compensation not to exceed \$250 per annum.

SECTION 1. That there shall be paid to members of the city council of cities of the first class, an amount prescribed by ordinance not in excess of two hundred and fifty dollars (\$250) per annum, and this amount shall be in full compensation of all services of such councilmen of every kind and character whatsoever, connected with their official duties.

Repealing clause.

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved April 5, 1888.

CHAPTER 25.

SUITS AND CLAIMS AGAINST MUNICIPAL CORPORATIONS.

AN ACT Limiting the Time of Making Claims and Bringing Suits H. F. 3.
Against Municipal Corporations including Cities Organized under
Special Charters.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That in all cases of personal injury resulting from defective streets or sidewalks or from any cause originating in the neglect or failure of any municipal corporation, or its officers to perform their duties in constructing or maintaining streets or sidewalks, no suit shall be brought against the corporation after six months from the time of the injury unless written notice specifying the place and circumstances of the injury shall have been served upon such municipal corporation within ninety days after the injury. Time of bringing suit limited to six months.

SEC. 2. All the provisions of this act shall be applicable to all cities in this State now organized under special charters. Applicable to cities under special charters.
Approved February 17, 1888.

CHAPTER 26.

POWERS OF CITIES AND TOWNS IN RELATION TO THE ERECTION
OF WATER WORKS.

AN ACT To amend Section 471 of the Code.

S. F. 23.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 471 of the Code is hereby amended by striking out in the fourth and fifth lines the words "or four fifths of the members of the council or board of trustees thereof." Sec. 471, Code, amended.

SEC. 2. This act being deemed of immediate importance shall take effect, and be in force from and after its publication in the Iowa State Register, and Des Moines Leader, newspapers published at Des Moines Iowa. Publication.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 5, and Des Moines Leader April 6, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 27.

ELECTION OF OFFICERS IN CITIES UNDER SPECIAL CHARTER.

S. F. 85. AN ACT To amend Chapter Ninety-three (93) of the Laws of the Twenty-first General Assembly, relating to Election of Officers in Cities under Special Charter.

Be it enacted by the General Assembly of the State of Iowa:

Chapter 93,
acts Twenty-
first G. A.
amended.

SECTION 1. That chapter Ninety Three (93) of the acts of the Twenty First General Assembly, be and the same is hereby amended by inserting after the words ("city marshal") in the third line of Section Three of said act, the words ("Recorder, Assessor, Treasurer, Collector, Auditor and City Attorney.")

Publication

SEC. 2. This act being deemed of immediate importance shall be of force and effect from and after its publication in the Daily Iowa State Register and Daily Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 27, 1888.

FRANK D. JACKSON, *Secretary of State.*

RAILROADS.

CHAPTER 28.

TO REGULATE RAILROADS AND OTHER COMMON CARRIERS.

AN ACT To Regulate Railroad Corporations and other Common Carriers in this State, and to Increase the Powers and further Define the Duties of the Board of Railroad Commissioners, in relation to the same, and to Prevent and Punish Extortion and unjust Discrimination in the Rates charged for the Transportation of Passengers and Freights on Railroads in this State, and to Prescribe a Mode of Procedure and Rules of Evidence in relation thereto, and to Repeal Section 11 of Chapter 77 of the Acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners and all Laws in force in direct Conflict with the Provisions of this Act. H. F. 373.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The provisions of this act shall apply to the transportation of passengers and property, and to receiving, delivering, storage and handling of property wholly within this State and shall apply to all railroad corporations and railway companies, express companies, car companies, sleeping-car companies, freight or freight line companies and to any common carrier or carriers engaged in this State in the transportation of passengers or property by railroad therein, and shall also be held to apply to shipments of property made from any point within the State to any point within the State, whether the transportation of the same shall be wholly within this State or partly within this and an adjoining State or States. The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad and also all the road in use by any corporation, receiver trustee or other person operating a railroad whether owned or operated under contract, agreement, lease or otherwise, and the term "transportation" shall include all instrumentalities of shipment or carriage, and the term "railroad corporation" contained in this act shall be deemed and taken to mean all corporations, companies or individuals now owning or operating, or which may hereafter own or operate any railroad in

*Application of
the provisions
of this act.*

Charges to be reasonable and just.

whole or in part in this State; and the provisions of this act shall apply to all persons, firms and companies and to all associations of persons whether incorporated or otherwise that shall do business as common carriers upon any of the lines of railway in this State (street railways excepted) the same as to railroad corporations herein mentioned.

Unjust discrimination defined.

SEC. 2. All charges made for any service rendered or to be rendered in the transportation of passengers or property in this State, as aforesaid or in connection therewith or for the receiving, delivering, storage or handling of such property shall be reasonable and just; and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful.

SEC. 3. That if any common carrier subject to the provisions of this act, shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect or receive from any person or persons a greater or less compensation for any service rendered, or to be rendered, in the transportation of passengers or property subject to the provisions of this act, than it charges, demands, collects or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic, such common carrier shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful; this section however, is not to be construed as prohibiting a less rate per 100 pounds in a car-load lot than is charged, collected or received for the same kind of freight in less than a car load lot.

Preference or advantage not to be given.

SEC. 4. That it shall be unlawful for any common carrier, subject to the provisions of this act to make or give any preference or advantage to any particular person, company, firm, corporation or locality or any particular description of traffic, in any respect whatsoever or to subject any particular person company firm corporation or locality or any particular description of traffic to any prejudice or disadvantage in any respect whatsoever; provided, however, that nothing herein shall be construed to prevent any common carrier from giving preference as to time of shipment of live stock, uncured meats or other perishable property. All common carriers subject to the provisions of this act, shall, according to their respective powers, afford all reasonable, proper and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding and switching of cars, and the receiving, forwarding and delivering of passengers and property to and from their several lines, and to and from other lines and places connected therewith; and shall not discriminate in their accommodations, rates and charges between such connecting lines. And any common carrier may be required to switch and transfer cars for another for the purpose of being loaded or unloaded, upon such terms and conditions as may be prescribed by the Board of Railroad Commissioners.

Equal facilities for interchange of traffic between lines.

SEC. 5. That it shall be unlawful for any common carrier, subject to the provisions of this act, to charge or receive any greater compensation in the aggregate for the transportation of passengers or of a like kind of property for a shorter than for a longer distance over its railroad, all or any portion of the shorter haul being included within the longer. And said common carrier shall charge no more for transporting freight to or from any point on its railroad than a fair and just rate as compared with the price it charges for the same kind of freight transportation to or from any other point.

No greater charge to be made for a short, than a long haul.

No discrimination against shipping points.

SEC. 6. That it shall be unlawful for any common carrier subject to the provisions of this act to enter into any contract, agreement or combination with any other common carrier or carriers for the pooling of freight of different and competing railroads, or divide between them the aggregate or net proceeds of the earnings of such railroads, or any portion thereof; and in any case of an agreement for the pooling of freights as aforesaid, each day of its continuance shall be deemed a separate offense.

Freight pooling forbidden.

SEC. 7. That every common carrier subject to the provisions of this act, shall print and keep for public inspection, schedules showing the rates and fares and charges for the transportation of passengers and property which any such common carrier has established, and which are in force at the time upon its railroad as defined by the first section of this act. The schedules printed as aforesaid by any such common carrier shall plainly state the places upon its railroads between which property and passengers will be carried and shall contain the classification of freight in force upon such railroad, and shall also state separately any terminal charges and any rules or regulations which in any wise change, affect or determine any part of the aggregate of such aforesaid rates and fares and charges. Such schedules shall be plainly printed in large type of at least the size of ordinary pica, and a copy for the use of the public shall be kept in every freight office and passenger station, on such railroad, where it can be conveniently inspected, and such common carrier shall keep a printed notice posted in every such freight office and passenger station indicating where therein such schedules can be found. No advance shall be made in the rates, fares and charges which have been established and published as aforesaid by any common carrier in compliance with the requirements of this section, except after ten days public notice, which shall plainly state the changes proposed to be made in the schedules then in force and the time when the increased rates, fares or charges will go into effect; and the proposed changes shall be shown by printing new schedules, or shall be plainly indicated upon the schedules in force at the time and kept for public inspection. Reduction in such published rates fares or charges may be made without previous public notice, but whenever any such reduction is made, notice of the same shall immediately be publicly posted, and the changes made shall immedi-

Schedules of rates and fare kept for inspection.

Schedules to be printed and publicly exposed.

Notice to be given of advance in schedule.

Reduction in schedules how made.

ately be made public by printing new schedules, or shall immediately be plainly indicated upon the schedules at the time in force and kept for public inspection. And when any such common carrier shall have established and published its rates, fares and charges, in compliance with the provisions of this section, it shall be unlawful for such common carrier to charge, demand collect or receive from any person or persons a greater or less compensation for the transportation of passengers or property, or for any services in connection therewith than is specified in such published schedule of rates, fares and charges as may at the time be in force. Every common carrier subject to the provisions of this act shall file with the Board of Railroad Commissioners of this State, copies of its schedules of rates, fares and charges which have been established and published in compliance with the requirements of this section, and shall promptly notify said Commissioners of all changes made in the same. Every such common carrier shall also file with said Commissioners, copies of all contracts, agreements or arrangements with other common carriers in relation to any traffic affected by the provisions of this act to which it may be a party. And in cases where passengers and freight pass over continuous lines or routes in this State operated by more than one common carrier and the several common carriers operating such lines or routes, have established joint tariffs of rates or fares or charges for such continuous lines or routes, copies of such joint tariffs shall also, in like manner, be filed with said Commissioners. Such joint rates, fares and charges on such continuous lines so filed as aforesaid shall be made public by such common carriers, when directed by said Commissioners in so far as may in the judgment of the Commissioners be deemed practicable; and said Commissioners shall from time to time prescribe the measures of publicity which shall be given to such rates fares and charges, or to such part of them as they may deem it practicable for such common carriers to publish and the places in which they shall be published; but no common carrier, party to any such joint tariff shall be liable for the failure of any other common carrier party thereto, to observe and adhere to the rates, fares or charges thus made and published. If any such common carrier shall neglect or refuse to file or publish its schedules or tariffs of rates, fares and charges as provided in this section or any part of the same, such common carriers shall in addition to other penalties herein prescribed be subject to a writ of mandamus to be issued by any district court of this State in the judicial district wherein the principal office of said common carrier is situated, or wherein such offense may be committed. And if such common carrier be a foreign corporation, then such writ may be issued by any district court, in the judicial district where such common carrier accepts traffic and has an agent to perform such service, to compel compliance with the aforesaid provisions of this section and such writ shall issue in the name of the State of Iowa at the relation or upon the pe-

Charges not to deviate from printed schedule.

Copy of schedule to be filed with R. R. Commissioners.

Copy of contracts to be filed with R. R. Commissioners.

R. R. Com. may make public such joint rates.

Refusal to publish schedules.

Foreign corporations refusal to publish schedule.

tition of the said board of railroad commissioners of this State; and failure to comply with its requirements shall be punishable as and for a contempt; and shall make said corporation liable to a penalty of five hundred dollars (\$500.00) for each day's failure to comply and when any such writ of mandamus, shall be so applied for by said commissioners, no bond shall be required of them by any court or judge, in which or before whom any such application may be made.

SEC. 8. That it shall be unlawful for any common carrier subject to the provisions of this act to enter into any combination, contract or agreement, expressed or implied, to prevent by change of time schedules, carriage in different cars or by other means or devices, the carriage of freights from being continuous from the place of shipment to the place of destination in this State; and no break of bulk, stoppage or interruption made by such common carrier shall prevent the carriage of freights from being and being treated as one continuous carriage from the place of shipment to the place of destination, unless such break stoppage or interruption was made in good faith for some necessary purpose and without any intent to avoid or unnecessarily interrupt such continuous carriage or to evade any of the provisions of this act.

Combinations
against conti-
nuous transit.

SEC. 9. That in case any common carrier subject to the provisions of this act shall do, cause to be done, or permit to be done any act, matter or thing in this act prohibited, or declared to be unlawful, or shall omit to do any act, matter or thing, in this act required to be done, such common carrier shall be liable to the person or persons injured thereby, for three times the amount of damages sustained in consequence of any such violation of the provisions of this act together, with costs of suit and a reasonable counsel or attorneys fee to be fixed by the court in which the same is heard on appeal or otherwise, which shall be taxed and collected as part of the costs in the case; provided that in all cases demand in writing on said common carrier shall be made for the money damages sustained before suit is brought for recovery under this section and that no suit shall be brought until the expiration of fifteen days after such demand.

Penalty for
violation or
omission.

SEC. 10. That any person or persons claiming to be damaged by any common carrier, subject to the provisions of this act, may either make complaint to the board of railroad commissioners of this State or may bring suit in his or their own behalf for the recovery of damages for which any such common carrier may be liable under the provisions of this act in any court of this State of competent jurisdiction; but such person or persons shall not have the right to pursue both of said remedies at the same time.

Complaint to
railroad com-
missioner's or
suit for
damages.

In any such action brought for the recovery of damages, the court before whom the same shall be pending may compel any director, officer, receiver, trustee or agent of the corporation or company, defendant in such suit to attend, appear and testify in

Attendance of
witnesses and
evidence.

such case and may compel the production of the books and papers of such corporation or company party to any such suit; the claims that any such testimony or evidence may tend to criminate the person giving such evidence shall not excuse such person or witness from testifying or producing said books and papers; but such evidence or testimony shall not be used against such person in any way, on the trial of any criminal proceedings.

Violation by individual or agent, and penalty.

SEC. 11. That except as otherwise specially provided for in sections twenty three to twenty-eight inclusive, of this act, and unless relieved from the consequences of a violation of the law as provided in section fifteen of this act, any common carrier, subject to the provisions of this act, or whenever such common carrier is a corporation, any director or officer thereof, or any receiver, trustee, lessee, agent or person acting for, or employed by such corporation, who, alone or with any other corporation, company, person or party shall willfully do, or cause to be done, or shall willingly suffer or permit to be done any act, matter or thing in this act prohibited or declared to be unlawful, or who shall aid or abet therein, or shall willfully omit or fail to do any act, matter or thing in this act required to be done, or shall cause or willingly suffer, or permit any act, matter or thing so directed or required by this act to be done, not to be so done, or shall aid or abet any such omission, or failure, or shall be guilty of any infraction of this act, or shall aid or abet therein, shall be deemed guilty of a misdemeanor and shall upon conviction thereof in any district court of this State of competent jurisdiction be subject to a fine of not to exceed five thousand dollars (\$5,000) and not less than five hundred dollars (\$500) for each offense.

Railroad commissioners may inquire into the business of all common carriers.

SEC. 12. That it shall be the duty of and the board of railroad commissioners of this State shall have authority to inquire into the management of the business of all common carriers subject to the provisions of this act, and shall keep itself informed as to the manner and method in which the same is conducted and shall have the right to obtain from such common carriers full and complete information necessary, to enable the said commissioners to perform the duties and carry out the object for which said Board was created and which are contemplated by this act; and for the purposes of this act the said Commissioners shall have power to require the attendance and testimony of witnesses and the production of all books, papers, tariffs, schedules, contracts, agreements and documents relating to any matter under investigation, and to that end may invoke the aid of any court of this State in requiring the attendance and testimony of witnesses and the production of books papers and documents under the provisions of this section. And any Court of this State within the jurisdiction of which such inquiry is carried on, shall in case of contumacy, or refusal to obey a subpoena, or other proper process issued to any common carrier or person subject to the provisions of this act, or other

person, issue an order requiring such common carrier, or other person to appear before said Commissioners (and produce books and papers if so ordered) and give evidence touching or in relation to the matter in question; and any failure to obey such order of the court shall be punished by such court as a contempt thereof; the claim that any such testimony or evidence may tend to criminate the person giving such evidence, shall not excuse such person or witness from testifying; but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

SEC. 13. That any person, firm, corporation or association, or any mercantile, agricultural or manufacturing society, or any body politic or municipal organization, complaining of anything done or omitted to be done, by any common carrier subject to the provisions of this act, in contravention of the provisions thereof, may apply to said Commissioners by petition which shall briefly state the facts whereupon a statement of the complaint thus made with the damages if any are alleged shall be forwarded by the said Commissioners to such common carrier who shall be called upon to satisfy the complaint, or to answer the same in writing within a reasonable time to be specified by the Commissioners. If such common carrier within the time specified shall make reparation for the injury alleged to have been done or shall correct the wrong complained of, said carrier shall be relieved of liability to the complainant only for the particular violation of law thus complained of. If such common carrier shall not satisfy the complaint, within the time specified, or there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the said Commissioners to investigate the matters complained of in such manner and by such means as said Commissioners shall deem proper and said Commissioners whenever they may have sufficient reason to believe that any common carrier is violating any of the provisions of this act shall at once institute an inquiry in the same manner, and to the same effect, as though complaint had been made. No complaint shall at any time be dismissed because of the absence of direct damage to the complainant or complainants or petitioners.

Complaint;
mode of enter-
ing and mak-
ing.

SEC. 14. That whenever an investigation shall be made by said Commissioners after notice as provided by section 13, of this act, it shall be their duty to make a report in writing in respect thereto, which shall include the findings of fact upon which the conclusions of the Commissioners are based, together with its or their recommendation or orders as to what reparation, if any, should be made by the common carrier to any party, or parties, who may be found to have been injured; and such finding, so made shall thereafter in all judicial proceedings be deemed and taken as *prima facie* evidence as to each and every fact found. All reports of investigation made by said Commissioners shall be entered of record, and a copy thereof shall be furnished to the party who may have complained and

Investigations.

Report of find-
ings.

Findings of
the Commis-
sioners.

any other person or persons directly interested, and to any common carrier that may have been complained of.

SEC. 15. That if in any case in which an investigation shall be made by said Commissioners it shall be made to appear to the satisfaction of the Commissioners, either by the testimony of witnesses or other evidence that anything has been done or omitted to be done in violation of the provisions of this act or of any law cognizable by said Commissioners by any common carrier, or that any injury or damages has been sustained by the party or parties complaining or by other parties aggrieved in consequence of any such violation it shall be the duty of said Commissioners forthwith to cause a copy of their report in respect thereto to be delivered to such common carrier, together with a notice to said common carrier to cease and desist from such violation, or to make reparation for the injury so found to have been done, or both within a reasonable time to be specified by the Commissioners; and if within the time specified it shall be made to appear to the Commissioners that such common carrier has ceased from such violation of law and has made reparation for the injury found to have been done in compliance with the report and notice of the Commissioners, or to the satisfaction of the party complaining, a statement to that effect shall be entered of record by the Commissioners and the said common carrier shall thereupon be relieved from further liability or penalty for such particular violation of law.

Refusal or
neglect to obey
Board of
Com's require-
ments.

SEC. 16. That whenever any common carrier as defined in and subject to the provisions of this act shall violate or refuse or neglect to obey any lawful order or requirement of the said Board of Railroad Commissioners, it shall be the duty of said Commissioners, and lawful for any company or person interested in such order or requirement to apply in a summary way, by petition to the district or superior court in any county of this State in which the common carrier complained of has its principal office, or in any county through which its line or road passes or is operated, or in which the violation or disobedience of such order or requirement shall happen, alleging such violation or disobedience as the case may be; and the said court shall have power to hear and determine the matter, on such short notice to the common carrier complained of as the court shall deem reasonable; and such notice may be served on such common carrier, his or its officers, agents or servants in such manner as the court shall direct; and said court shall proceed to hear and determine the matter speedily as a court of equity and without the formal pleadings and proceedings applicable to ordinary suits in equity but in such manner as to do justice in the premises; and to this end such court shall have power, if it think fit to direct and prosecute, in such mode and by such persons as it may appoint all such inquiries as the court may think needful to enable it to form a just judgment in the matter of such petition; and on such hearing the report of said Commissioners shall be *prima facie* evidence of the matter therein, or in any order

made by them stated; and if it be made to appear to such court on such hearing or on the report of any such person or persons, that the order or requirement of said Commissioners drawn in question, has been violated or disobeyed, it shall be lawful for such court to issue a writ of injunction, or other proper process mandatory or otherwise to restrain such common carrier from further continuing such violation or disobedience of such order or requirement of said Commissioners and enjoining obedience to the same; and in case of any disobedience of any such writ of injunction or other proper process, mandatory or otherwise, it shall be lawful for such courts to issue writs of attachment, or any other process of said court incident or applicable to writs of injunction or other proper process, mandatory or otherwise, against such common carrier, and if a corporation, against one or more of the directors, officers or agents of the same, or against any owner, lessee, trustee, receiver or other person failing to obey such writ of injunction or other proper process, mandatory or otherwise; and said court may, if it shall think fit, make an order directing such common carrier or other person so disobeying such writ of injunction or other proper process mandatory or otherwise, to pay such sum of money not exceeding for each carrier or person in default the sum of one thousand (\$1,000.00) dollars for every day after a day to be named in the order that such carrier or other person shall fail to obey such injunction or other proper process mandatory or otherwise; and such monies (monies) shall, upon the order of the court, be paid into the treasury of the county in which the action was commenced and one-half thereof shall be transferred by the county treasurer to the State treasury; and the payment thereof may without prejudice to any other mode of recovering the same be enforced by attachment or order, in the nature of a writ of execution, in like manner as if the same had been recovered by a final decree *in personam* in such court, saving to the Commissioners and any other party or person interested the right of appeal to the Supreme Court of the State under the same regulations now provided by law in relation to appeals to said court as to security for such appeal except that in no case shall security for such appeal be required when the same is taken by said Commissioners; but no appeal to said Supreme Court shall operate, to stay or supersede the order of the court, or the execution of any writ or process thereon; and such court may in every such matter order the payment of such costs and attorney and counsel fees as shall be deemed reasonable. Whenever any such petition shall be filed or presented, or be prosecuted by the said Commissioners, or by their direction it shall be the duty of the Attorney General of the State to prosecute the same, and in such prosecution he shall have the right to have the assistance of any county attorney of the county in which any such proceedings are instituted, and it is hereby made the duty of any such county attorney to render such assistance; and the costs and expenses on the part of said Commissioners of any such

Court shall restrain by injunction.

Right of appeal to Supreme Court.

prosecution shall be paid out of the appropriations for the expenses of said Board of Commissioners.

R. R. Com's
empowered to
make sched-
ules for rail-
road compa-
nies.

SEC. 17. The Board of Railroad Commissioners of this State are hereby empowered and directed to make for each of the railroad corporations, doing business in this State, as soon as practicable, a schedule of reasonable maximum rates of charges for the transportation of freight and cars on each of said railroads, and said power to make schedules shall include the power of classification of all such freights, and it shall be the duty of said Commissioners to make such classification; provided, that the said rates of charges to be so fixed by said Commissioners shall not in any case exceed the rates which are or may hereafter be established by law; and said schedules so made by said Commissioners, shall in all suits brought against any such railroad corporations, wherein is in any way involved the charges of any such railroad corporation for the transportation of any freight or cars or unjust discrimination in relation thereto be deemed and taken in all courts of this State as *prima facie* evidence that the rates therein fixed are reasonable and just maximum rates of charges for the transportation of freight and cars upon the railroads for which said schedules may have been respectively prepared. Said Commissioners shall from time to time, and as often as circumstances may require, change and revise said schedules, subject to the same provision that the rates fixed are not to be higher than now or hereafter established by law.

Schedules re-
vised.

Com's shall
cause notices
of change to
be published.

When any schedule shall have been made or revised as aforesaid, it shall be the duty of said Commissioners to cause notice thereof to be published for two successive weeks in some public newspaper published in the city of Des Moines in this State, which notice shall state the date of the taking effect of said schedule and said schedule shall take effect at the time so stated in such notice and a printed copy of said revised schedule shall be conspicuously posted by such common carrier in each freight office and passenger depot upon its line or lines. All such schedules, so made, shall be received and held in all such suits as *prima facie* the schedule of said Commissioners without further proof than the production of the schedule desired to be used as evidence, with a certificate of said Railroad Commissioners, that the same is a true copy of the schedule prepared by them for the railroad company or corporation therein named, and that notice of making the same has been published as required by law; provided that before finally fixing and deciding what the original maximum rates and classification shall be, it shall be the duty of the Railroad Commissioners to publish ten days notice in two daily papers published in Des Moines setting forth in such notice that at a certain time and place they will proceed to fix and determine such maximum rates and classification; and they shall at such time and place and as soon as practicable afford to any person, firm, corporation or common carrier who may desire it an opportunity to make an explanation or showing or to furnish information to said Commissioners on the subject

Time and
place of fixing
maximum
rates.

of determining and fixing such maximum rates and classification; and in any event the original schedule of rates and classification of freights on all lines of railroads in Iowa shall be fixed and shall go into effect within sixty days from the taking effect of this act.

SEC. 18. Whenever any person upon his own behalf, or class of persons similarly situated, or any firm, corporation or association, or any mercantile, agricultural or manufacturing society, or any body politic or municipal organization, shall make complaint to said Board of Railroad Commissioners, that the rate charged or published by any railroad company, or the maximum rates fixed by said Commissioners in the schedules of rates made by them under the provisions of section 17 of this act, or the maximum rate that now or hereafter may be fixed by law is unreasonably high or discriminating, it shall be the duty of said Commissioners to immediately investigate the matter of such complaint. If such complaint appears to be well founded and not trivial in character the Board shall fix a day for hearing the same and shall notify the railroad company of the time and place of such hearing by mailing a notice properly directed to any division superintendent general or assistant superintendent, general manager, president or secretary of such company, which notice shall contain the substance of the complaint so made and the board shall also notify the person or persons complaining of such time and place.

Investigation
of violation of
Com's sched-
ule.

SEC. 19. Upon such hearing so provided for, the said Commissioners shall receive whatever evidence, statements or arguments either party may offer or make pertinent to the matter under investigation; and the burden of proof shall not be held to be upon the person or persons making the complaint, but the Commissioners shall add to the showing made at such hearing whatever information they may then have, or can secure from any source whatsoever, and the person or persons complaining shall be entitled to introduce any published schedules of rates of any railroad company, or evidence of rates actually charged by any railroad company for substantially the same kind of service, whether in this or any other State; and the lowest rates published or charged by any railroad company for substantially the same kind of service, whether in this or any other State, shall, at the instance of the person or persons complaining be accepted as *prima facie* evidence of a reasonable rate for the services under investigation, and if the railroad company complained of is operating a line of railroad beyond the State of Iowa or if it appears that it has a traffic arrangement with any such railroad company, then the Commissioners in determining what is a reasonable rate, shall take into consideration the charge made, or rate established by such railroad company or the company with which it has traffic arrangements for carrying freight from beyond the State to points within the State and from within the State to points beyond (the) State; and if such company be operating a line of railway beyond the State they

Hearing of
case as to vio-
lation.

shall also take into consideration the rate charged or established for a substantially similar or greater service by such company in any other State in which said railroad company operates a line of railway.

Decision of the
commissioners
in the matter.

SEC. 20. After such hearing and investigation the said Commissioners shall fix and determine the maximum charge to be thereafter made by the railroad company or common carriers complained of, which charge shall in no event exceed the one now, or hereafter fixed by law, and the said Commissioners shall render their decision in writing; and shall spread the same at length in the record to be kept for that purpose; such decision shall, specifically, set out the sums or rate which the railroad company or common carrier, so complained of, may thereafter charge or receive for the service therein named and including a classification of such freight, and the said Commissioners shall not be limited in their said decision and the schedule to be contained therein to the specific case or cases complained of but it shall be extended to all such rates between points in this State and whatever part of the line of railway of such company or common carrier within this State as may have been fairly within the scope of such investigation, and any such decisions so made and entered on record of said commissioners, including any such schedules and classifications, shall, when duly authenticated be received and held in all suits brought against any such railroad corporation or common carrier wherein is in any way involved the charges of any such corporation or carrier mentioned in said decisions, in any of the courts of this State, as prima facie evidence that the rates therein fixed are reasonable maximum rates, the same as the schedules made by said commissioners as provided in section 17 hereof; and the rates and classifications so established after such hearing and investigation shall from time to time thereafter upon complaint duly made be subject to revision by said commissioners the same as any other rates and classifications.

Conduct of
proceedings.

Quorum.

Amendment of
general rules.

Any party may
appear.

SEC. 21. That the said Board of railroad commissioners may in all cases conduct its proceedings when not otherwise particularly prescribed by law, in such manner as will best conduce to the proper dispatch of business and to the ends of justice. A majority of the commissioners shall constitute a quorum for the transaction of business, but no commissioner shall participate in any hearing or proceeding in which he has any pecuniary interest. Said commissioners may from time to time make or amend such general rules, or orders, as may be requisite for the order and regulation of proceedings before it including forms of notices and the service thereof, which shall conform as nearly as may be to those in use in courts of this State. Any party may appear before said board of commissioners and be heard in person or by attorney. Every vote and official action of said board of commissioners shall be

entered of record and its proceedings shall be public upon the request of either party or any person interested. Said board of railroad commissioners, shall have an official seal which shall be judicially noticed, and every commissioner shall have the right to administer oaths and affirmations in any proceeding pending before said board.

Record public.

Official seal.

SEC. 22. The said board of railroad commissioners is hereby authorized to require annual reports from all common carriers subject to the provisions of this act, to fix the time and prescribe the manner in which such reports shall be made and to require from such carriers specific answers to all questions upon which the said commissioners may need information. Such annual reports shall show in detail the amount of the capital stock issued the amounts paid therefor and the manner of the payment of the same; the dividends paid, the surplus fund if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the costs and value of the carrier's property, franchises and equipment; the number of employes, and the salaries paid each class; the amounts expended for improvements each year, how and where expended and the character of such improvements; the earnings and receipts from each branch of business, and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year, including an annual balance sheet. Such reports shall also contain such information in relation to rates or regulations, concerning fares or freights, or agreements, arrangements, or contracts with other common carriers as the commissioners may require; and the said board of commissioners may within its discretion for the purpose of enabling it the better to carry out the purpose of this act, (if in the opinion of the commissioners it is practicable to prescribe such uniformity and methods of keeping accounts) prescribe a period of time within which all common carriers subject to the provisions of this act, shall have as near as may be a uniform system of accounts and the manner in which such accounts shall be kept.

Annual report required.

Contents of annual report.

Further information required.

SEC. 23. If any railroad corporation or common carrier subject to the provisions of this act, shall charge, collect demand or receive more than a fair and reasonable rate of toll or compensation for the transportation of passengers or freight of any description or for the use and transportation of any railroad car upon its track, or any of the branches thereof, or upon any railroad within this State which it has the right, license or permission to use, operate or control or shall make any unjust and unreasonable charge prohibited in section two (2) of this act, the same shall be deemed guilty of extortion, and shall be dealt with as hereinafter provided, and if any such railroad corporation, (or common carrier) shall be found guilty of any unjust discrimination as defined in section three (3) of this act, upon conviction thereof, shall be dealt with as hereinafter provided.

Extortion and penalty.

Discrimination defined and punished.

Discrimination from one point to another.

Discrimination in car loads.

Evidence of unjust discrimination.

SEC. 24. If any such railroad corporation shall charge, collect or receive for the transportation of any passenger or freight of any description upon its railroad for any distance within this State, a greater amount of toll or compensation than is at the same time charged, collected or received for the transportation in the same direction of any passenger or like quantity of freight of the same class over a greater distance of the same railroad; or if it shall charge, collect or receive at any point upon its railroad a higher rate of toll or compensation for receiving handling or delivering freight of the same class and quantity, than it shall at the same time charge, collect or receive at any other point upon the same railroad; or if it shall charge, collect or receive for the transportation of any passenger or freight of any description over its railroad a greater amount as toll or compensation than shall at the same time be charged, collected or received by it for the transportation of any passenger or like quantity of freight of the same class being transported in the same direction over any portion of the same railroad of equal distance; or if it shall charge, collect or receive from any person or persons a higher or greater amount of toll or compensation than it shall at the same time charge, collect or receive from any other person or persons for receiving, handling or delivering freight of the same class and like quantity, at the same point upon its railroad; or if it shall charge collect or receive from any person or persons, for the transportation of any freight upon its railroad, a higher or greater rate of toll or compensation than it shall, at the same time, charge, collect or receive from any other person or persons, for the transportation of the like quantity of freight of the same class, being transported from the same point in the same direction, over equal distances of the same railroad, or if it shall charge, collect or receive, from any person or persons, for the use and transportation of any railroad car or cars upon its railroad, for any distance, a greater amount of toll or compensation than is at the same time charged, collected or received from any other person or persons, for the use and transportation of any railroad car of the same class or number, for a like purpose, being transported in the same direction, over a greater distance of the same railroad; or if it shall charge, collect or receive from any person or persons, for the use and transportation of any railroad car or cars upon its railroad, a higher or greater compensation in the aggregate, than it shall, at the same time, charge, collect or receive from any other person or persons, for the use and transportation of any railroad car or cars of the same class for a like purpose, being transported from the same original point, in the same direction, over an equal distance of the same railroad; all such discriminating rates, charges, collection or receipts whether made directly, or by means of any rebate, drawback, or other shift or evasion, shall be deemed and taken, against such railroad corporation, as prima facie evidence of the unjust discriminations prohibited by the provisions of this act;

and it shall not be deemed a sufficient excuse or justification of such discrimination on the part of said railroad corporation, that the railway station or point at which it shall charge collect or receive less compensation in the aggregate for the transportation of such passenger or freight, or for the use and transportation of such railroad car the greater distance than for the shorter distance, is a railway station or point at which then exists competition with any other railroad or means of transportation. This section shall not be construed so as to exclude other evidence tending to show any unjust discrimination in freight and passenger rates. The provisions of this section shall extend and apply to any railroad, the branches thereof, and any road or roads which any railroad corporation has the right, license or permission to use, operate or control wholly or in part, within this State; provided however, that nothing herein contained shall be so construed as to prevent railroad corporations from issuing commutation, excursion or thousand mile tickets: provided the same are issued alike to all applying therefor.

SEC. 25. It shall be unlawful for any such common carrier to charge, collect demand or receive more for transporting a car of freight than it at the same time charges, collects demands or receives per car for several cars of a like class of freight over the same railroad, for the same distance, in the same direction, or to charge, collect, demand or receive more for transporting a ton of freight than it charges, collects, demands or receives per ton for several tons of freight under a car load, of a like class of freight over the same railroad for the same distance, in the same direction or to charge collect, demand or receive more for transporting a hundred pounds of freight than it charges, collects, demands or receives per hundred for several hundred pounds of freight, under a ton, of a like class of freight over the same railroad, for the same distance, in the same direction, all such discriminating rates, charges, collections or receipts, whether made directly or by means of any rebate, drawback or other shift or evasion, shall be deemed and taken against such railroad company as *prima facie* evidence of the unjust discrimination prohibited by this act; *provided*, however, that for the protection and development of any new industry within this State, such railroad company may grant concession or special rates for any agreed number of car loads, but such special rates aforesaid shall first be approved by the Board of Railroad Commissioners, and a copy thereof filed in the office thereof.

Discrimination as to cars.

As to rates in car loads.

SEC. 26. Any such railroad corporation guilty of extortion or of making any unjust discrimination as to passenger or freight rates or the rates for the use and transportation of railroad cars or in receiving handling or delivering freights shall upon conviction thereof be fined in any sum not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) for the first offense; and for every subsequent offense

Discrimination as to passengers, or freight rates or handling.

not less than five thousand dollars nor more than ten thousand dollars (\$10,000) such fine to be imposed in a criminal prosecution by indictment, or shall be subject to the liability prescribed in the next succeeding section to be recovered as therein provided.

Penalty for
discrimina-
tion.

SEC. 27. Any such railroad corporation guilty of extortion or of making any unjust discrimination as to passenger or freight rates or the rates for the use and transportation of railroad cars, or in receiving, handling or delivering freights shall forfeit and pay to the State of Iowa not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) for the first offense and not less than five thousand dollars (\$5,000) nor more than ten thousand dollars (\$10,000) for every subsequent offense to be recovered in a civil action by ordinary proceedings instituted in the name of the State of Iowa. And the release from liability or penalty provided for in section 15 of this act shall not apply to either a criminal prosecution under the last preceding section or a civil action brought under this section.

SEC. 28. Whenever said Railroad Commissioners have good reason to believe, that any railroad corporation or common carrier subject to the provisions of this act has been guilty of extortion or unjust discrimination and thereby become liable to the penalties prescribed in sections 26 and 27 hereof, it shall be their duty to immediately cause suits to be commenced and prosecuted against any such railroad corporation or common carrier. Such suits and prosecutions may be instituted in any county of this state through or into which the line of the railroad corporation sued for violation of this act may extend. And such Railroad Commissioners are hereby authorized, when in their judgment, it is necessary so to do, to employ counsel to assist the Attorney General in conducting such suit on behalf of the State. No such suits commenced by said commissioners shall be dismissed unless the said commissioners and the Attorney General shall consent thereto. And the court may in its discretion give preference to such suits over all other business except criminal cases.

Handling of
property for U.
S. or the State.

SEC. 29. That nothing in this act shall apply to the carriage, storage or handling of property free or at reduced rates for the United States or this State or municipal governments or for charitable purposes, or to and from fairs and expositions for exhibition thereat or for the employees of such common carriers or their families or private property or goods for the family use of the employees of such common carriers, or the issuance of mileage, excursion or commutation passenger tickets. Nothing in this act shall be construed to prohibit any common carrier from giving reduced rates to Ministers of religion, or to prevent railroads from giving free carriage to their own officers and employees and their families dependent upon said officer or employee for support and to persons in charge of live stock being shipped from the point of

shipment to destination and return, or to prevent the principal officers of any railroad company or companies from exchanging passes or tickets with other railroad companies for their officers and employes: and nothing in this act contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this act are in addition to such remedies; provided, that no pending litigation shall in any way be affected by this act.

SEC. 30. The said railroad commissioners and their secretary shall have the right of free transportation in the performance of their duties concerning railroads, on all railroads and railroad trains in this state; and they may take with them experts or other agents whose services they may require and who shall in like manner be transported free of charge. R. R. Commissioners and secretary to be transported free.

SEC. 31. To defray the necessary expenses of the said Railroad Commissioners in making investigations and prosecuting suits and to pay all necessary costs attending the same under the provision of this act there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary, to be drawn upon warrants of the State Auditor issued upon the requisition of said Commissioners, approved by the Governor, which requisition shall be accompanied by an itemized statement of the costs and expenses to be paid. Expenses of Commissioners' investigation: how met.

SEC. 32. Section 11 of chapter 77 of the acts of the Seventeenth General Assembly in relation to the Board of Railroad Commissioners, and all laws now in force in direct conflict with any of the provisions of this act, are hereby repealed. Conflicting law repealed.

SEC. 33. This act being deemed of immediate importance shall take effect and be in force from and after thirty days after publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines Iowa. Publication.

Approved April 5th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 10, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 29.

CHANGING THE MANNER OF SELECTING RAILROAD COMMISSIONERS.

H. F. 85.

AN ACT to Change the Manner of Selecting Railroad Commissioners and to Repeal Sections 2 and 8, Chapter 77, Acts of the 17th General Assembly and to Provide for the Election of and to Prescribe the Qualification of Railroad Commissioners and for the Appointment of a Secretary.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That sections 2, and 8, of chapter 77, acts of the 17th General Assembly and all acts and parts of acts inconsistent with this act are hereby repealed.

Election of
three persons
as R. R. Com-
missioners.

SEC. 2. That at the regular election in the year 1888, there shall be three persons having the qualification of electors, in the places where they shall respectively reside in the State of Iowa, chosen by the electors of the State, from the body of the electors of said State, who, when they shall have taken the oath of office and given such bond as may be required of them by the Governor of the State, shall be known and styled the Board of Railroad Commissioners of the State of Iowa. They shall hold office, beginning on the second Monday in January, 1889, for the period of one, two, and three years respectively, as shall be decided between them by lot at their first meeting as a board in such manner as may be designated by the Secretary of State. At the regular election in the year 1889, and every year thereafter at each such election there shall be chosen one person as commissioner, having the qualification hereinbefore and hereinafter described, who shall hold his office for three years from the second Monday in January after his election, and until his successor is elected and qualified. Said person shall fill the vacancy caused by the expiration of the term of the commissioner whose term expires on the second Monday in January following his said election. It shall organize on each second Monday in every year immediately after the new member has been qualified and if for any cause this is not done, it may be done at a subsequent meeting. The organization shall be by the selection of one member as chairman and a person having the qualifications hereinafter and hereinafter described for a commissioner as secretary. The board shall have power to employ such additional clerical help as it may deem necessary and for the good of the service. No person in the employ of any common carrier or owning any bonds, stock, or property, in any railroad company, or who is in any way or manner pecuniarily interested in any railroad corporation shall be eligible to the office of railroad commissioner and the entering into the employ of any common carrier, or the acquiring of any stock or other

Employment
of clerical
help.

interest in any common carrier by any officer under this act after his election or appointment shall disqualify him to hold the office, and to perform the duties thereof.

SEC. 3. All vacancies in the office of railroad commissioners shall be filled by appointment of the Governor. The person appointed to serve until his successor is elected and qualified. Vacancies to be filled by appointment of Governor. The board of commissioners as constituted by chapter 77, acts 17th General Assembly shall hold office and have all powers conferred upon them by chapter 77, acts of the 17th General Assembly and acts amendatory thereto and such other powers and authority as are now or may hereafter be conferred upon them by law until commissioners shall be chosen and enter upon their duties as contemplated by this act.

SEC. 4. The canvass of votes cast for election of commissioners provided for in this act shall be made and returns and abstracts thereof and relating thereto be made, certified and forwarded and results of said election declared (by the executive council) in all respects in the same manner and by the same officers and boards as now provided by law for canvassing, making, certifying, forwarding and declaring the same as to other State officers. Canvass of votes cast.

SEC. 5. The commissioners chosen under this act shall have all the powers that are conferred upon the railway commission by chapter 77 acts of the 17th General Assembly, and such other powers and authority as may be now or shall hereafter be imposed by law. Powers.

Approved April 6, 1888.

CHAPTER 30.

REQUIRING RAILROAD COMPANIES TO FENCE TRACKS.

AN ACT Requiring Rail-road Companies to Fence Their Tracks within the State of Iowa, and to Keep the Fences in Good Repair. S. F. 7.

Be it enacted by the General Assembly of the State of Iowa :

SECTION 1. That all railroad corporations organized under the laws of this State, or any other State, owning or operating a line of railroad within this State, which have not already erected a lawful fence, shall construct, maintain and keep in good repair a suitable fence of posts and barb wire, or posts and boards on each side of the tracks of said railroad within the State of Iowa, and so connected with cattle guards at all public highway crossings as to prevent cattle, horses and other live stock from getting on the railroad tracks. Said railroad tracks to be fenced by said railroad companies, on or before January 1, 1890 where the railroads are now built, and within six months after the Railway companies to fence their tracks.

completion of any new railroads, or any part thereof, the said fences to be constructed either of five barbed wires, securely fastened to posts; said posts to be not more than twenty feet apart, and not less than fifty four inches in height, or of five boards securely nailed to posts, said posts to be not further than eight feet apart, and said fence to be not less than fifty-four inches in height. Provided; when said railroad corporations, who have now their fences built shall when they rebuild or repair their fences the same shall be built as provided in this act: Provided: further that any other fence which in the judgment of the fence viewers is equivalent to the fence herein provided shall be a lawful fence. Provided however that this act shall not be so construed as to compel a railway company operating a third class railway to fence its road through the land of any farmer or other person, who by written agreement with said company has waived or may waive the fencing of said road through such land. Provided further however, that at any points where third class roads are not released by written agreement, from building fence as herein provided for, and fences are built on both sides of Railway track at such points, cattle guards shall be so constructed at such points as to prevent stock from going upon said track so fenced.

Fences defined.

Cattle guards.

Penalty for refusal to comply.

SEC. 2. If any corporation or officer thereof or lessee owning or engaged in the operation of any railroad, in this State neglect or refuse to comply with any provision of Section one of this act, such corporation, officer or lessee, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding five hundred dollars for each and every offense. And every thirty days continuance of such refusal or neglect shall constitute a separate and distinct offense within and for the purposes of this Act.

Killing of stock.

SEC. 3. Nothing herein contained shall relieve said railroad corporations from pecuniary liability arising from the killing or maiming of live stock on said track; or right of way by said corporation, that may occur through the negligence of said corporation or its employees, and provided further, that nothing in this act shall be construed so as to interfere with the right to open or private crossings, as now maintained, or with the right of persons to such crossings. Provided further, that nothing in this act contained shall in any way limit or qualify the liability of any corporation or person, owning or operating a railway that fails to fence the same against live stock running at large, for any stock injured or killed by reason of the want of such fence as now provided for in Sec. 1289 of the Code of 1873.

Approved April 6, 1888.

CHAPTER 31.

RELATIVE TO CHANGE OF NAME OF RAILWAY STATIONS.

AN ACT Providing for Change in Name of Railway Stations in Certain Cases and Prescribing Penalties for Non-compliance therewith. S. F. 230.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That in all cases where any railway company shall fail or refuse to make the name of a railway station conform to the name of the incorporated town within the limits of which it is situated, the Railway Commissioners of the State, upon hearing and after notice thereof may order a change in the name of the said station to effect such uniformity in name, said notice may be served upon the same persons and in the same manner as provided for service upon said railway company of original notice, at least ten days before the date named for hearing. Railway Commissioners may order a change of name.

SEC. 2. When the Railway Commissioners shall order a change in the name of a railway station in pursuance of the provisions of section one of this act, said Commission shall give the company upon whose line the said station is located, notice of such order, and if the said order be not complied with, within thirty days from the date of service of such notice, it shall be the duty of the said Commissioners to notify the Attorney General of the facts in the case, who upon such notice shall proceed in the courts of the state, to compel the enforcement of said order. Notice shall be given of such change.

SEC. 3. A failure to comply with the order of the Railway Commissioners within thirty days from service of such notice, shall constitute a misdemeanor for which said railway company shall be subject to a fine of one thousand dollars and non-compliance for each thirty days thereafter shall constitute a separate and distinct offense, subject to a fine of one thousand dollars. Failure to comply with order. Penalty.

SEC. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers of general circulation in the State of Iowa. Publication.

Approved March 24, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader March 27, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 32.

CONSTRUCTION OF VIADUCTS.

H. F. 295. AN ACT to Authorize Certain Cities to Require the Erection and Construction of Viaducts Over or Under Railroads on Public Streets and to Provide Compensation to Owners of Property Abutting on such Streets.

Be it enacted by the General Assembly of the State of Iowa:

Cities of 7,000
population
may require
railroads to
build viaducts.

SECTION 1. The council of any city of the first class and cities organized under special charter or cities of the second class having a population of (7,000) seven thousand or over, shall have power to require any railroad company or companies, owning or operating any railroad track or tracks upon or across any public street or streets of such city to erect, construct, reconstruct complete and keep in repair to the extent hereinafter provided any viaduct or viaducts upon or along such street or streets and over or under such track or tracks including the approaches thereto as may be deemed and declared by ordinances of such city necessary for the safety and protection of the public: provided that the approaches to any such viaduct which any railroad company or companies may be required to construct, or reconstruct and keep in repair shall not exceed for each viaduct a total distance of eight hundred feet, and provided further that no such viaduct shall be required on more than every fourth street running in the same direction and that no railroad company shall be required to build or contribute to the building more than one such viaduct with its approaches in any one year. Nor shall any viaduct be required until the Board of Railroad Commissioners shall, after due examination determined said viaduct to be necessary in order to promote the public safety and convenience, and the plans of said viaduct prepared as provided in section 3 hereof, shall have been approved by said board.

Assessment of
damages.

SEC. 2. Whenever any such viaduct shall be deemed and declared by ordinances necessary for the safety and protection of the public, the council shall provide for appraising, assessing and determining the damages, if any, which may be caused to any property, by reason of the construction of such viaduct and its approaches. The proceedings for such purpose shall be the same as provided by law for taking possession of streets by railroad companies, except that the damages assessed shall be paid by the city.

Specifications.

SEC. 3. The width, height and strength of any such viaduct, and the approaches thereto, the material therefor, and the manner of construction thereof shall be such as may be required

by the Board of Public Works and approved by the mayor and council, but if there be no board of public works, then they shall be such as may be required by the council.

SEC. 4. When two or more railroad companies own or operate separate lines of track to be crossed by any such viaduct, the proportion thereof, and of the approaches thereto, to be constructed by each, or of the cost to be borne by each shall be determined by the council. After the completion of any such viaduct, any revenue derived therefrom by the crossing thereon of street railway lines, or otherwise, shall constitute a special fund, and shall be applied in making repairs to such viaduct. One half of all ordinary repairs to such viaduct, or to the approaches thereto, shall be paid out of such fund, or shall be borne by the city, and the remaining half shall be borne by the railroad company or companies and if the track of more than one company is so crossed the said one half of such repairs shall be borne by such companies in the same proportion as the original construction of such viaduct.

Where two or more companies have interest.

Revenue.

SEC. 5. Every city to which this act applies is authorized and empowered to receive a bond of indemnity from persons interested in the construction of any such viaduct conditioned for the payment of all the damages which may be assessed in favor of abutting property owners together with costs.

Indemnity bond.

SEC. 6. If any railroad company neglects or refuses for more than thirty days after such notice as may be prescribed by ordinance, to comply with the requirements of any ordinance passed under the provisions hereof, the city may construct or repair the viaduct or approach or portion of viaduct or approach which such ordinance may require such railroad company to construct or maintain, and recover the cost of such construction or maintenance from such railroad company in any court of competent jurisdiction.

Refusal to comply.

SEC. 7. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Publication.

Approved April 7, 1888.

I hereby certify that the foregoing was published in the *Iowa State Register* and *Des Moines Leader* April 17, 1888.

FRANK D. JACKSON, *Secretary of State.*

COURTS.

CHAPTER 33.

DISTRIBUTION OF REPORTS OF SUPREME COURTS.

H. F. 187. AN ACT Amending Section One Hundred and Fifty nine (159) of the Code of 1878, in Regard to the Disposition of the Reports of the Supreme Court of the State.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 159 of
code amended.

SECTION 1. That section 159 of the Code be amended by striking out the word "circuit" in the sixth line thereof and inserting the word "superior" in lieu thereof, and after the word "state" in the eighth line insert the following: "And two copies to each county where the district court is held in more than one place, one copy to be given to each place where court is held and one copy to the Supreme Court reporter."

Approved April 3, 1888.

CHAPTER 34.

SUPREME COURT TERMS

H. F. 213. AN ACT Relating to the Supreme Court and to the Terms Thereof.

Be it enacted by the General Assembly of the State of Iowa:

Date of hold-
ing terms.

SECTION 1. The Supreme Court shall hold three terms each year, one of which shall commence on the third Tuesday in January, one on the second Tuesday in May, and one on the first Tuesday in October.

Chapter 59, 21
G. A. applica-
ble.

SEC. 2. All the provisions of chapter 59 of the laws of the Twenty-first General Assembly, except as to times of holding terms of said court, are hereby made to apply to this act.

Cases triable
May, 1888.

SEC. 3. All cases heretofore appealed or which may be appealed and which under said chapter 59 would have been triable at the term of said court, by said chapter 59 ordered to convene in March, 1888, are hereby made triable at the May, 1888, term, by this act provided for.

SEC. 4. That part of section one of said chapter 59, and all other acts and parts of acts in conflict herewith, are hereby repealed. Conflicting acts repealed.

SEC. 5. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa. Publication.

Approved February 16, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, February 18, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 35.

FILING OF TRANSCRIPT IN APPEALS TO SUPREME COURT.

AN ACT to Amend Section 3179 of the Code.

H. F. 455.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3179 of the Code be and the same is hereby amended by adding the following: But no transcript of the record need be forwarded to the Supreme Court until a denial of appellants abstract of the record has been served and if no denial shall be made no transcript of the record shall be required. If such denial shall be entered without good and sufficient cause therefor the costs for such transcript of the record shall be taxed to the party making the denial. No transcript of record to be furnished. —

Approved April 6, 1888.

CHAPTER 36.

EMPLOYMENT OF DEPUTIES.

AN ACT to Amend Sections 766 and 3784 of the Code and Section One Chapter 184 Laws 18th General Assembly Relating to the Clerk of the District Court, the Employment of Deputy Clerk, Deputy Auditor and Deputy Treasurer and the Compensation of such Officers. H. F. 21.

One Chapter 184 Laws 18th General Assembly Relating to the Clerk of the District Court, the Employment of Deputy Clerk, Deputy Auditor and Deputy Treasurer and the Compensation of such Officers.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 766 of the Code of Iowa be and the same is hereby amended by striking out the words, "Each clerk of the district and circuit courts" in the third line thereof and

Deputy clerk
of district
court.

When more
than one.

Board of su-
pervisors may
employ depu-
ties.

Compensa-
tion.

Three deputies
may be ap-
pointed.

Compensa-
tion.

Publication.

inserting after the word "deputy" in the fifth line thereof the words "and each clerk of the district court may appoint one deputy or in counties having a population in excess of 80,000 inhabitants more than one if so ordered by the court."

SEC. 2. That section one of chapter 184, laws of the eighteenth general assembly be and the same is hereby amended by inserting after the word "employed" in the 24th line of said section, the following: provided, however, that in all counties having a population of 25,000 and not over 36,000 as shown by the last State census, where the board of supervisors find it necessary to have a deputy clerk, deputy treasurer and deputy auditor, there shall be allowed as compensation to such deputy clerk, deputy treasurer, and deputy auditor, for their service, a sum equal to not more than two-thirds ($\frac{2}{3}$) the salary or compensation of the county clerk, county treasurer and county auditor of such county, respectively, as the board of supervisors may direct: "Provided, that in counties having a population in excess of forty thousand, the Court, upon application of the clerk, may authorize said clerk to appoint, subject to the approval of the board of supervisors, not more than three deputies and one or more clerks, and determine in its order the number of such deputies and clerks;" also by striking out the word "deputy" in the 27th line thereof, and substituting the word "deputies" therefor; also by striking out the words "but that the total compensation shall not exceed thirty-five hundred dollars," in the thirty third and thirty fourth lines, and substituting therefor the following: "but the total compensation shall not exceed the fees received by such clerk, or the sum of five thousand dollars, if such fees be less than said sum."

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the "Iowa State Register" and "Des Moines Leader" newspapers published in Des Moines, Iowa.

Approved March 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, March 6, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 37.

JURISDICTION OF THE DISTRICT COURT HELD AT OTHER PLACES
THAN AT COUNTY SEATS.

AN ACT to Amend Section Five (5) of Chapter One Hundred and H. F. 590.
Thirty four (134) of the Acts of the Twenty first General Assembly and to Define the Jurisdiction of the District Court Held at
Places Other than County Seats.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section five (5) of chapter one hundred and thirty-four (134) of the acts of the Twenty-first General Assembly be amended as follows: By striking out the whole of the fourth (4th) line, and the words "at County Seats" in the fifth (5th) line of said section five, and inserting in place thereof, the words, "and grand jurors and petit jurors shall be drawn and summoned for the terms at all such places, according to law from the territory from which petit jurors have heretofore been chosen." Chap. 134, acts
21 G. A., amended.

SEC. 2. By striking out the whole of line eight (8) and nine (9) and the words "the Circuit Court" in the 10th line of said Section five (5), and inserting in place thereof, "and the district court shall hear and determine all causes, including civil, probate and criminal within the territory over which the Circuit Court has heretofore had jurisdiction," and by inserting the words, "grand and petit" between the words "and" and "jurors" in the tenth line of said section. Dist. Court's jurisdiction.

SEC. 3. By striking out of the 23rd line of said section five (5) the words, "Provided, that this section shall not affect" and the whole of line twenty-four (24) and the words "ten years" from the 25th line of said section five (5) aforesaid.

Approved April 8, 1888.

CHAPTER 38.

RELATING TO GRAND JURIES.

AN ACT to Amend Section Four Thousand, Two Hundred and H. F. 122.
Seventy five (4275) of the Code Relating to Grand Jurors.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 4275 of the code be and the same is hereby amended by adding to said section at the end thereof, Sec. 4275 of
Code amended.

the following: Provided, that in counties having a population, as shown by the last preceding census, of twenty thousand or over, the Court, in the exercise of a sound discretion may appoint a competent person, not a member of the grand jury, clerk, thereof, who shall receive a compensation of \$3.00 per day. He shall take no part in the proceedings aside from his clerical duties, and he shall strictly abstain from expressing an opinion upon any question before the grand jury either to the jury or to any member thereof, and shall not be present when any vote is being taken upon the finding of an indictment. And provided, further, that the following oath must be administered to such clerk: "You as clerk of the grand jury shall faithfully and impartially perform the duties of clerk and you will not reveal to any one the proceedings of the grand jury. You will strictly abstain from expressing any opinion upon any question before the jury, either to the jury or any member thereof, so help you God"

Clerk of grand jury appointed.

Compensation.

Duties strictly clerical.

Oath.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, April 4, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 39.

PEREMPTORY CHALLENGES OF JURORS.

S. F. 56. AN ACT, to Amend Sections 4413 and 4414 of the Code of Iowa, Relating to Peremptory Challenges of Jurors, in Criminal Cases.

Be it enacted by the General Assembly of the State of Iowa:

State and defendant entitled to ten challenges.

SECTION 1. That sections 4413 and 4414 of the Code of Iowa, be, and the same are hereby amended to read as follows:

Sec. 4413. If the offense charged in the indictment is or may be punishable with death, or imprisonment for life; the State and defendant are each entitled to ten peremptory challenges; if any other felony to six each; and if a misdemeanor to three each;

Sec. 4414. The State shall be entitled to the first challenge, and shall challenge one juror, the defendant shall be entitled to the second challenge and shall challenge one juror, the State shall be entitled to the third challenge, and shall challenge one juror, the defendant

shall be entitled to the fourth challenge and shall challenge one juror; and so on alternately until all the challenges are exhausted.

Approved April 12, 1888.

CHAPTER 40.

PROCEEDINGS IN SUPERIOR COURTS.

AN ACT to Amend Chapter 143 of the Acts of the Sixteenth General Assembly, and Chapter 24 of the Acts of the Nineteenth General Assembly, relating to Superior Courts and to Proceedings therein.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That chapter 143 of the acts of the Sixteenth General Assembly, and chapter 24 of the acts of the Nineteenth General Assembly be and the same are hereby amended as follows, to-wit: That section six (6) of the acts of the Sixteenth General Assembly be and the same is hereby repealed, and the following is enacted in lieu thereof:

Chap. 24, acts
19 G. A.
amended.

Sec. 6. Said court shall have jurisdiction in all civil matters concurrent with the district court as now and as may hereafter be provided by law, except in probate matters and actions for divorce, alimony and separate maintenance. It shall have exclusive original jurisdiction to try and determine all actions, civil and criminal, for the violation of city ordinances, and all jurisdiction conferred on police courts as now or as may hereafter be provided by law; and concurrent jurisdiction with justices of the peace, and writs of error and appeals may be taken from justices' courts in the township in which the court is held, and by consent of parties from any other township in the county. For the trial of criminal actions on information and complaint the court shall be open at such times under such rules as the court shall prescribe. In actions by attachment, where real property is levied on by writs of attachment, the officer levying the writ shall make entry thereof in the encumbrance book in the office of the clerk of the district court, in like manner and with like effect as of levies made in the district court.

May have concurrent jurisdiction with
D. C.

May have concurrent jurisdiction with
J. P.

SEC. 2. That section seven (7) of the acts of the Sixteenth General Assembly, as amended by section four (4) of the acts of the Nineteenth General Assembly be repealed and the following is enacted in lieu thereof:

Sec. 7, acts 16
G. A., as
amended by 19
G. A. re-
pealed.

Change of
venue.

Sec. 7. Changes of venue may be had from said court in all civil actions to the district court of the county, in the same manner, for like causes and with the same effect as the venue is changed from the district court as now or hereafter may be provided by law. All criminal actions, including those for the violation of the city ordinances shall be tried summarily and without a jury, saving to the defendant right of appeal to the district court, which appeals shall be taken in the same time and manner as appeals are taken from justices' courts in criminal actions.

Sec. 8. That section sixteen of chapter 143 of the acts of the Sixteenth General Assembly, as amended by section six (6) of chapter twenty-four of the acts of the Nineteenth General Assembly be amended by striking out the word "one," in the thirteenth line, and inserting in lieu thereof the word "two."

Number of
terms each
year.

Sec. 4. Said court shall hold at least eight, and not to exceed eleven terms each year, the times thereof being arranged by the judge of the court in such manner as shall least conflict with the terms of the district court of the county where said superior court is held, the terms to be fixed by the general order made of record at least ten days before the first term of that year, but no term need be held in the month of August.

Jury in civil
cases.

Sec. 5. In all civil cases where the jury shall consist of six jurors the challenges allowed to either party shall be limited to three each, but where the jury shall consist of twelve jurors the same number of challenges shall be allowed to either party as is now or may hereafter be allowed in the district court.

Approved March 23, 1888.

CHAPTER 41.

SETTLEMENT OF ESTATES.

S. F. 207.

AN ACT to Facilitate Settlement of Estates, and to Enable Administrators, Guardians, Trustees and Referees to Deposit Funds and Securities Subject to Approval of Court, and Making the Clerk and Treasurer Liable Therefor in Certain Cases.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Whenever any administrator, guardian, trustee or referee shall desire to make his final report as such and who shall then have in his possession or under his control in his fiduciary capacity, any funds, moneys, or securities due, or to become due to any heir, legatee, devisee, or other person, the payment of which might then be made to such heir, legatee, devisee or other person if living or present within the county

Final report of
administrator.

where such appointment as administrator, guardian, trustee or referee was made, such funds, moneys or securities may be deposited with the clerk of the district court of the county wherein such appointment was made, and if he shall otherwise discharge all the duties imposed upon him by such appointment he may take the receipt of the clerk of the district court for such funds, moneys or securities so deposited, which receipt shall specifically set forth from whom said funds, moneys or securities were derived, the amount thereof, and the name of the person to whom due or to become due, if known. Thereupon said administrator, guardian, trustee or referee may file such receipt with his final report, and if it shall be made to appear to the satisfaction of the court, that he has in all other respects complied with the law governing his appointment and duties, the court may approve such final report and enter his discharge. *Provided*, that notice of such contemplated deposit, and if final report shall be given for the same time and in the same manner as now required in case of final report by administrators.

Funds, moneys or securities may be deposited with clerk of district court.

Discharge.

SEC. 2. The clerk of the district court with whom any deposit of funds, moneys or securities shall be made as provided in the preceding section, shall enter in a book to be provided and kept for the purposes hereof, the amount of such deposit, the character thereof, the date of its deposit, from whom received, from what source derived, to whom due or to become due, if known. He shall be liable upon his bond for all funds, moneys, or securities which may be deposited with him, under the provisions hereof. If the funds, moneys or securities so deposited with the clerk shall not be paid to the person to whom the same is due, or to become due, within *one* year from the date of its deposit the clerk shall then deposit such funds, moneys or securities with the county treasurer for the use of the county wherein such appointment was made, taking the treasurer's receipt therefor, countersigned by the county auditor, who shall thereupon charge upon the books of his office and against the treasurer the amount named in such receipts.

Clerk of district court shall keep a book account of deposit.

Clerk may deposit with county treasurer.

SEC. 3. Whenever any funds, moneys or securities shall be deposited with the county treasurer, as provided in this act, he shall enter in a book provided and kept for that purpose, the date of such deposit, the amount thereof, from whom received, the source from which derived, and the name of the person to whom the same is due or to become due if known. Whenever the claimant therefor, upon proper application made to the district court, shall satisfactorily show to such court that he is the rightful owner of said funds, moneys or securities and entitled thereto, the court by order entered of record shall direct the county auditor to issue a warrant on the county treasurer for said money, funds or securities, and upon such order the said treasurer shall pay to the person named in such order the funds, moneys or securities to which the claimant shall have shown himself entitled.

Treasurer to keep a book account of deposit.

Warrants issued for the deposit.

Approved April 3, 1888.

CHAPTER 42.

FILING CLAIMS FOR DOMESTIC ANIMALS KILLED.

S. F. 130.

AN ACT to Amend Section Five of Chapter Seventy of the Laws of the Twentieth General Assembly Extending the Time for Filing Claims for Damage for Domestic Animals Killed or Injured by Dogs and Providing how such Claims Shall be Established.

Be it enacted by the General Assembly of the State of Iowa:

Chapter 70 acts
20 G. A.
amended.

SECTION 1. That section five of chapter seventy laws of the Twentieth General Assembly be amended by striking the word "fifteen" out of the eighth line and inserting in lieu thereof the word "sixty" and by striking out of the 13th and 14th lines the words "the testimony of at least two competent witnesses besides himself" and inserting in lieu thereof the words "testimony satisfactory to said board."

Approved April 13, 1888.

CHAPTER 43.

COUNTY TAX LEVY.

H. F. 45,]

AN ACT to Repeal Sub-division 2 of Section 796 of the Code of 1873, Chapter 28, of the Acts of the 15th General Assembly, Chapter 13 of the Acts of the 18th General Assembly, and Chapter 182 of the Acts of the 20th General Assembly, and to Enact a Substitute Therefor.

Be it enacted by the General Assembly of the State of Iowa:

Section 796
code chapter
28 acts 15 G. A.,
chapter 13 acts
18 G. A., chap-
ter 182 acts 20
G. A. repealed.

SECTION 1. That sub-division two of section seven hundred and ninety six of the Code of eighteen hundred and seventy-three, chapter twenty eight, of the acts of the Fifteenth General Assembly, chapter thirteen of the acts of the of the Eighteenth General Assembly, and chapter one hundred and eighty two of the acts of the Twentieth General Assembly be and the same are hereby repealed and the following enacted in lieu of said sub-division two of section seven hundred and ninety six of the Code of eighteen hundred and seventy three:

The substitute.

SUB-DIVISION 2. For ordinary county revenue, including support of the poor, not more than four mills on a dollar and a poll tax of fifty cents; *provided* however that in counties having a population of twenty thousand and less, excepting counties having an area

exceeding nine hundred square miles, such levy may be six mills or less; provided however that in any county in which the levy is herein limited to four mills, the board of supervisors may submit the question of increasing the same to six mills or less to a vote of the electors at any general election, and if at such election a majority of the electors declare in favor of such increase, the board of supervisors may levy the same for the year following such election at the next meeting at which the general levy is made.

SEC. 2. This act being deemed of immediate importance, Publication. shall take effect from and after its publication in the Iowa State Register, and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved March 31, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 3, and the Des Moines Leader, April 4, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 44.

RE ASSESSMENT AND RE-LEVY OF SPECIAL TAXES AND ASSESSMENTS.

AN ACT to provide for the re-assessment and re-levy of special taxes H. F. 204. and assessments.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That in cities of the first class and cities organized under special charter, whenever, by reason of an alleged non-conformity to any law or ordinance, or by reason of any omission or irregularity, any special tax or assessment is either invalid or its validity is questioned, the city council may make all necessary orders and ordinances and may take all necessary steps to correct the same and to re-assess and to re-levy the same, including the ordering of work, with the same force and effect as if made at the time provided by law or ordinance relating thereto; and may re-assess and re-levy the same with the same force and effect as an original levy. Whenever any apportionment or assessment is made and any property is assessed too little or too much, the same may be corrected and re-assessed for such additional error as may be proper, or the assessment may be reduced even to the extent of refunding the tax collected. Cities may re-assess and re-levy special tax.

SEC. 2. Any special tax upon re-assessment or re-levy shall, so far as is practicable, be levied and collected as the same would have been if the first levy had been enforced.

SEC. 3. Any provision of any law or ordinance specifying a time when or the order in which acts shall be done in a proceeding which may result in a special tax, shall be taken to be subject to the qualifications of this act.

SEC. 4. Any and every ordinance or part thereof of any such city heretofore passed in substantial conformity with this act is hereby legalized.

Publication. SEC. 5. This act being deemed of immediate importance shall take effect after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Approved April 16, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 19, and *Des Moines Leader*, April 20, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 45.

PAYMENT OF TAXES TO THE TOWNSHIP CLERK.

H. F. 215. AN ACT to Amend Section Nine Hundred and Seventy Six (976) of the Code relating to the payment of taxes to the Township Clerk.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 876 Code amended. SECTION 1. That section nine hundred and seventy six (976) of the Code, be amended by striking out the words "September" and "March" where the same occur in the second line thereof, and inserting in place thereof the words "April" and "October" and by striking out the words "April" and "October" where the same occur in the sixth line thereof, and inserting in place thereof the words "May" and "November."

Publication. SEC. 2. That this act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 5, and *Des Moines Leader* April 6, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 46.

TAXATION OF PERSONAL PROPERTY USED FOR AGRICULTURAL OR
HORTICULTURAL PURPOSES.

AN ACT to Amend Section 1, Chapter 158, Acts 19th General Assembly. H. F. 540.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1 of chapter 158, acts of the 19th General Assembly be amended by adding thereto the following: And all personal property necessary for the use and cultivation of agricultural or horticultural lands shall be liable for such road taxes, but shall not be liable for any other city tax.

Personal property liable for road tax.

Approved April 3, 1888.

CHAPTER 47.

TAX TO PAY INTEREST ON OUTSTANDING BONDS.

AN ACT to authorize Boards of Supervisors to levy a tax to pay interest upon certain out-standing Bonds. H. F. 561.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That in all counties wherein county bonds have been issued in pursuance of a vote of the people to obtain money for the erection of any public building, and wherein the annual tax named in the proposition so submitted to the people for the purpose of paying the annual interest accruing upon such bonds, is insufficient to pay the same as it matures, the boards of supervisors are hereby authorized to levy for said purpose and no other a tax of one and one half mills on the dollar for the year 1888 and a tax of one mill on the dollar for the years 1889, 1890 and 1891, and thereafter a tax of one half mill on the dollar until said bonds are paid; provided that this act shall not prevent the levy of a greater tax than above mentioned, if any such proposition, so submitted to the people authorize such greater levy.

Board of supervisors authorized to levy tax of 1/2 mill.

Approved March 23rd, 1888.

ELECTIONS.

CHAPTER 48.

REGISTRATION OF VOTERS AT CITY ELECTIONS.

S. F. 49. AN ACT to Amend Chapter 161, of the Acts of the Twenty-first General Assembly, Relating to Elections Held Within Cities and to Registration of Voters therein.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That sections 4, and 11 of chapter 161, of the acts of the twenty-first General Assembly be and the same are hereby repealed, and the following is enacted in lieu thereof:

Place for registration. The place for the registration of voters in and for every election precinct in the cities mentioned in section 3 of the act of which this is amendatory, shall be the usual places of holding elections therein. The registers shall be in attendance at their respective places for registration on the second Thursday next preceding every general annual election, for the purpose of registering voters, copying registry lists and correcting the same, and performing such other duties as are required of them in order to properly prepare the necessary lists for the ensuing election. They shall be in attendance from 8 o'clock A. M. 'till 9 o'clock P. M.; shall personally supervise all registration, and shall be in constant attendance during the hours designated for the discharge of their duties. For the general annual election in 1888, and that of every fourth year thereafter, they shall remain in attendance three days, and for every other general annual election they shall remain in attendance two days.

Time of registration.

Days in attendance.

New registry lists made every fourth year.

Registry list other years.

Other general or special elections.

SEC. 2. The registers shall make a complete new registry of voters for the general annual election of 1888, and for that of every fourth year thereafter. For all other general annual State elections they shall prepare a new registry list, based on that of the last preceding general annual election, and every person whose name appears upon such registry list of the last preceding general annual election shall be entered upon the new registry list as also the facts showing his qualification as a legal voter, as they appear upon such last preceding registry list.

SEC. 3. For all other general or special elections, whether State, county, city or township, the registry list for the last preceding general annual election shall be used, and every person registered thereon shall be considered as registered to vote at

such election, except as such list may be corrected and changed by the registers, as by law provided; said registers shall meet upon the Saturday preceding every election, whether general or special, township, city, State or National, instead of upon Wednesday as provided in section 8, of said chapter 161; and except as to said change of meeting from Wednesday to Saturday preceding said election, all of the provisions of said section 8, shall remain unimpaired and in full force.

SEC. 4. Upon the revision and completion of said registry lists they shall be duly certified by the registers, who, after making the same corrections upon and additions to the alphabetical lists, shall deliver the registry and alphabetical lists to the Judges of election for the proper precinct, on every such election day, before the hour for the opening of the polls. Registry list to be certified.

SEC. 5. During the days when the registers are in session, they shall, when not actually engaged in registering voters, prepare the alphabetical lists and complete their labors with all reasonable dispatch. They shall receive as compensation \$2.50 per day, for each calendar day, upon which they shall be employed, for all services required of them under the provisions of this act. They shall be paid their compensation by the county, except that in case of city elections they shall be paid by the city. Alphabetical lists prepared.
Compensation.
By whom paid.

SEC. 6. The city clerk shall carefully preserve all registry and alphabetical lists and poll books and other papers pertaining to the last preceding election for eighteen months after the election at which they were first issued, and may then destroy them unless a contest be then pending over the election of a person voted for at such election, in which case he shall preserve those so bearing upon such contest until after the same has been finally disposed of. He shall on the application of the registers, deliver to them; prior to their first meeting for each election, the registry and alphabetical lists and poll books which they require in order to properly prepare the necessary lists for the next ensuing election, all of which shall be returned to him by them when they have completed their work for such election, except such as they are required to deliver to the Judges of election. Lists to be preserved.
Contests.

SEC. 7. The registers shall also be in session on the day for the holding of each and every election, at some place convenient to, but not within one hundred feet of the voting place, and during all the hours in which, by law, the polls are required to be kept open, for the purpose only of granting certificates for registration to persons who, being electors, are not registered; but no such certificate shall be granted except to a person who was absent from the city during all the days fixed for the registration of voters for that election, or to a person who, being a foreigner, has received his final papers since the last preceding day for the registration of voters for that election; or to a person whose name was on the preceding Saturday, and in the absence of such person, stricken from the registry list, and who, Session on day of election.
Certificates.
Persons who may register on election day.

Contents of
certificates.

on said day of election, shall prove to the satisfaction of said registers that he is a lawfully qualified elector of said voting precinct. These certificates shall contain all the data showing the qualification of the voter, as is required for regular registration, and in addition, the special matter showing the voter's right to a certificate under this section. The proper statement shall be signed and sworn to by the voter before one of the registers, and it shall be supported by the affidavit of a freeholder who is a registered voter in that precinct, who shall make oath to the qualification of the applicant as a voter in that precinct; and if the applicant be one whose name was stricken from the registry list, said affidavit of such freeholder shall contain the fact showing the right of said applicant to vote in that precinct. The certificate shall be handed in to the judges of election with the voter's ballot. The data therefrom, showing the voters' name and his qualification as a voter, shall be entered on the registry lists by the judges and clerks of the election, under the appropriate headings, and the original certificate shall be returned to the city clerk, who shall carefully preserve it, in the same manner, and for the same time as the registry lists and poll books. The certificate, before delivery to the applicant, shall be certified by the registers to the effect that the person therein named is a qualified voter in that precinct, and that he is entitled to be registered as such, under this section.

Certificate
preserved.

SEC. 8. For every election to which the registry law is applicable, and which may be held prior to the general annual election in 1888, the registry lists for the general annual election in 1887 shall be used, in the same manner as is provided in section 3 hereof.

Chap. 161
amended.

SEC. 9. Section 13 of said chapter 161 is hereby amended by inserting in the second line thereof, after the word "cities", the following: And in any voting precinct made up of the township outside of the city limits, whose polling place is within the corporate limits of said city, as hereinafter provided.

Inapplicable
to school
elections.

SEC. 10. This act, and the act to which it is amendatory, are hereby declared inapplicable to elections held under and in accordance with the school laws of the State.

Chap. 161
amended.

SEC. 11. So much, and so much only, of chapter 161, acts of the Twenty-first General Assembly of the State of Iowa, as is in conflict herewith, is hereby repealed.

Amendment.

SEC. 12. That section 7 of chapter 161, acts of the 21st General Assembly be amended by striking out the word "afore-said" in the second line thereof, and inserting in lieu thereof the words "for each general annual election." And that section 3 of said act be amended by inserting after the word "State" in the first line thereof the following words "having a population of Twenty five hundred (2500) or more as determined by the last preceding State or National census."

SEC. 13. This act being deemed of immediate importance Publication.
shall take effect and be in force from and after its publication
in the Iowa State Register and the Des Moines Leader, news-
papers published in Des Moines, Iowa.

Approved Feb. 8th, 1888.

I hereby certify that the foregoing act was published in the Iowa
State Register and Des Moines Leader February 9, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 49.

CONTESTING ELECTION OF PRESIDENTIAL ELECTORS.

AN ACT Providing for Contesting the Election of Presidential S. F. 176.
Electors, Additional to Chapter 6, Title 5 of the Code of 1873.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The election of any presidential Elector may be
contested by any eligible person who received votes for the
same office for any of the causes enumerated in chapter six (6)
title five (5) of the Code of 1873.

SEC. 2. The court for the trial of contested elections for
presidential Electors shall consist of the Chief Justice of the
Supreme Court who shall be presiding Judge of the Court
and the four Judges of the district court, not interested, being
nearest the capital of the State—two of whom with the Chief
Justice shall constitute a quorum for the transaction of the busi-
ness of the court. If the Chief Justice should for any cause be
unable to attend at the trial—the next senior Judge or the one
longest on the Supreme court bench if of equal rank—shall pre-
side in place of the chief Justice—And any question arising as
to the membership of the court shall be determined by the mem-
bers of the court not interested in the question. The Secretary
of State shall be the clerk of the court—or in his absence or in-
ability to act, the clerk of the Supreme Court shall be the clerk.
Each member of the court before entering upon the discharge of
his duties, shall take an oath before the Secretary of State or
some officer qualified to administer oaths—that he will support
the Constitution of the United States and that of the State of
Iowa and that without fear, favor, affection or hope of reward he
will, to the best of his knowledge and ability administer Justice
according to law and the facts in the case.

Court, how
constituted.

Secretary of
State to be
clerk.

SEC. 3. The contestant shall file the statement provided
for in this chapter in the office of the Secretary of State within
ten (10) days from the day on which the returns are canvassed
by the State board of canvassers, and within the same time

serve a copy of the same, with a notice of the contest, on the incumbent.

Clerk's duty.

SEC. 4. The clerk of the court shall immediately after the filing of the statement notify the Judges specified in Sec. 2—of this act and fix a day for the organization of the court within three days thereafter and also notify the parties to the contest. The Judges shall meet on the day fixed and organize the court and make and announce such rules for the trial of the case as they shall deem necessary for the protection of the rights of each party and a just and speedy trial of the case and commence the trial of the case as early as practicable thereafter and so arrange for and conduct the trial that a final determination of the same and judgment shall be rendered at least six (6) days before the 2nd Monday in January then next following.

Judgment of the court.

SEC. 5. The Judgment of the Court shall determine which of the parties to the action is entitled to hold the office of Presidential Elector and shall be authenticated by the presiding Judge and clerk of the court and filed with the Secretary of State and the Judgment so rendered shall constitute a final determination of the title to the office and a certificate of appointment shall be issued to the successful party as an elector.

SEC. 6. Sections 723, 724 and 725 of the Code shall apply to this act.

Approved April 13, 1888.

CHAPTER 50.

ELECTORS OF PRESIDENT AND VICE PRESIDENT U. S.

S. F. 175.

AN ACT to Amend Chapter 4 Title 5 of the Code of 1873—Relating to Electors of President and Vice President of the United States.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 665, 666,
668 Code re-
pealed.

SECTION 1. That section 665, 666, and 668 of Chapter 4 Title 5 of the Code of 1873 be and the same are hereby repealed and that the following be enacted in lieu thereof—

Substitute.

Section 665. After the expiration of ten days from the day the canvass is completed the Governor shall issue a certificate of election under his hand and the Seal of the State and cause it to be served on each person elected, notifying him to attend at the seat of Government at noon on the second Monday in January next following their appointment and report himself to the Governor as in attendance; but in case of a contest of election of an elector the Governor shall withhold the certificate until the contest is determined.

Section 666. The electors so attending shall meet at noon of said Monday and the Governor shall provide them a list of all the electors, and in case of the absence of any elector or if the proper number of electors shall, for any cause, be deficient, those present shall forthwith elect from the citizens of the State, so many persons as will supply the deficiency.

Meeting of
electors.

Section 668. The College of Electors, being full, shall meet at the Capitol at noon of the said second Monday in January or as soon thereafter on that day as practicable and proceed to the election in conformity with the Constitution of the United States and the laws of Congress enacted by authority thereof: And it shall be the duty of the Governor, as soon as practicable, to communicate under the seal of the State to the Secretary of State of the United States, a certificate or certificates complying with the requirements of section 3 of the Act of Congress entitled An Act to fix the day for the meeting of the Electors of President and Vice-President and other purposes approved February 3rd 1887.

Approved April 13, 1888.

CHAPTER 51.

ELECTIONS IN INDEPENDENT SCHOOL DISTRICTS.

AN ACT to Amend Section 1789, of the Code, with Reference to S. F. 51.
Elections in Independent School Districts.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section 1789 of the code be amended by striking out the words "The polls shall remain open from nine o'clock A. M. to four o'clock P. M." and insert in lieu thereof the following,—The polls shall remain open from Twelve o'clock M. to seven o'clock P. M.

Time polls
shall remain
open.

SEC. 2. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader.

Publication.

Approved Feb. 9, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, February 11, 1888.

FRANK D. JACKSON, *Secretary of State.*

MINING.

CHAPTER 52.

APPOINTMENT OF STATE MINE INSPECTORS.

H. F. 10.

AN ACT To amend Section 4, Chapter 140 of the Laws of the Twenty first General Assembly and to amend Chapter 21 of the Laws of the Twentieth General Assembly relative to State Mine Inspectors, their duties and manner of appointment.

Be it enacted by the General Assembly of the State of Iowa:

Inspectors to
reside in their
district.

SECTION 1. That section 4 chapter 140 of the acts of the twenty first General Assembly be and the same is hereby amended by adding thereto the following words, "And each of said Mine inspectors shall during his term of office have and keep a residence in the district to which he is assigned without expense to the State. Also have and keep an office at a place designated by the Governor accessible to railroad and telegraph in their respective districts where at all reasonable times and when not actually engaged elsewhere such inspectors shall be found.

SEC. 2. That Chapter 21 laws of the twentieth General Assembly be and the same is hereby amended by enacting the following supplementary sections.

Board of ex-
aminers ap-
pointed.

Section 22. The executive Council shall appoint a board of examiners composed of two practical miners—two mine operators and one mining engineer who shall have at least five years experience in his profession. The members of said board shall be of good moral character, and citizens of the United States and State of Iowa and they shall before entering upon their duties take the following oath (or affirmation) I — do solemnly swear (or affirm) that "I will perform the duties of examiner of candidates for the office of mine inspector to the best of my ability and that in recommending any candidate I will be governed by the evidence of qualification to fill the position under the law creating the same, and not by any consideration of political or personal favors; that I will grant certificates to candidates according to their qualifications and the requirements of the law" They shall hold their office for two years.

Oath.

Section 23. Said board shall meet biennially on the first Monday in April of each even numbered year except that for the year 1888 said board shall meet on the second Monday of May in the office of the State Mine inspector in the Capitol, and they shall publish in at least one newspaper published in each mining district of the State the date fixed by them for the examination of Candidates. They shall be furnished with the necessary stationery and other necessary material for said examination in the same manner as other State officers are now provided. They shall receive as compensation the sum of \$5.00 per day for time actually employed in the duties of their office and actual traveling expenses. The said compensation and expenses shall be paid in the same manner as the salaries and expenses of other State officers are now paid: provided that in no case shall the per diem received by any member exceed \$50.00 for each biennial session.

Meetings of the board, date and place.

Compensation.

Section 24. Certificates of competency shall be granted only to citizens of the United States and State of Iowa of good moral character not less than twenty-five years of age, who shall have at least five years experience in the mines and who shall not have been acting as agent or superintendent of any mine for at least six months prior to their appearance for examination.

Certificate of competency.

Section 25. The examination of candidates for the office of mine inspector shall consist of oral and written questions in theoretical and practical mining and mine engineering, on the nature and properties of noxious and poisonous gases found in mines and on the different systems of working and ventilating of coal mines. The candidates shall not be allowed to have in their possession at the time of their examination, any books, memoranda or notes to be used as aids in said examination. The board of examiners shall give to all persons examined who in their judgment possess the requisite qualifications, certificates of such qualification and from the persons holding such certificates the governor shall appoint the state mine inspectors.

Examination of candidates for mine inspectors.

Section 26. This act being deemed of immediate importance shall take effect on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Publication.

Approved April 12, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 21, and *Des Moines Leader*, April 20, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 53.

PROVIDING FOR THE WEIGHING OF COAL AT MINES.

H. F. 55. AN ACT to Amend Chapter 21 of the Acts of the 20th General Assembly, Providing for the Weighing of Coal at Mines.

Be it enacted by the General Assembly of the State of Iowa:

Scales provided.

SECTION 1. That the owner or agent of each coal mine within this State, at which the miners are paid by weight shall provide at such mine suitable scales of standard make for the weighing of all coal mined.

Weigh master to be sworn.

SEC. 2. The owner or agent of such mine shall require the person authorized to weigh the coal delivered from said mine to be sworn before some person having authority to administer an oath, to keep the scales correctly balanced, to accurately weigh, and to record a correct account of the amount weighed of each miners car of coal delivered from such mine, and such oath shall be kept conspicuously posted at the place of weighing. The record of the coal mined by each miner shall be kept separate and shall be open to his inspection at all reasonable hours and also for the inspection of all others pecuniarily interested in such mine.

Check - weighman may be furnished.

SEC. 3. In all coal mines in this State the miners employed and working therein may furnish a competent check-weighman, who shall at all proper times have full right of access and examination of such scales, machinery or apparatus, and seeing all measures and weights of coal mined and accounts kept of the same, provided that not more than one person on behalf of the miners collectively shall have such right of access, examination and inspection of scales, measures and accounts at the same time and that such person shall make no unnecessary interference with the use of such scales, machinery or apparatus. The agent of the miners, as aforesaid shall, before entering upon his duties, make and subscribe to an oath before some officer duly authorized to administer oaths, that he is duly qualified and will faithfully discharge the duties of check-weighman. Such oath shall be kept conspicuously posted at the place of weighing.

Oath of check weighman.

Penalty for fraud in weighing.

SEC. 4. Any person, company or firm having or using any scale or scales for the purpose of weighing the output of coal at mines so arranged or constructed that fraudulent weighing may be done thereby, or who shall knowingly resort to or employ any means whatsoever by reason of which such coal is not correctly weighed or reported in accordance with the provisions of this act; or any weighman or check-weighman who shall fraudulently weigh or record the weights of such coal, or connive at or consent to such fraudulent weighing, shall be deemed guilty

of a misdemeanor and shall, upon conviction for each such offense be punished by a fine of not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or by imprisonment in the county jail for a period not to exceed sixty days or by both such fine and imprisonment; proceedings to be instituted in any court of competent jurisdiction.

SEC. 5. Any person, owner or agent, operating a coal mine in this State who shall fail to comply with the provisions of this act, or who shall obstruct or hinder the carrying out of its requirements, shall be fined for the first offense not less than fifty dollars (\$50) nor more than two hundred dollars (\$200); for the second offense not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500); and for a third offense not less than five hundred dollars (\$500); provided, that the provisions of this act shall apply only to coal mines whose product is shipped by rail or water. Failure to comply with the law.

SEC. 6. That section 17 of chapter 21 of the laws of 1884 is hereby repealed.

Approved April 6, 1888.

CHAPTER 54.

WEIGHING COAL AT MINES.

AN ACT to Establish a Uniform System of Weighing Coal at the Mines of this State, and to Punish certain Irregularities connected therewith. H. F. 24.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all coal mined in this State under contract for payment by the ton or other quantity shall be weighed before being screened unless otherwise agreed upon in writing, and the full weight thereof shall be credited to the miner of such coal; and eighty pounds of coal as mined shall constitute a bushel, and two thousand pounds of coal as mined shall constitute a ton. *Provided* that nothing in this act shall be so construed as to compel payment for sulphur rock slate black jack or other impurities including slack and dirt which may be loaded with or amongst such coal. Coal to be weighed before screening.

SEC. 2. Each State Mine inspector shall procure from the State Superintendent of weights and measures at the expense of the State, a full and complete set of standards, balances and other means of adjustment such as are necessary in the comparison and adjustment of the scales, beams and other apparatus used in weighing coal at the mines to the State Standards of weight; And it shall be the duty of said inspectors to exam- Mine Inspectors' apparatus.

Damages
recovered.

ine, test and adjust as often as occasion demands all scales, beams and other apparatus used in weighing coal at the mines.

SEC. 3. Any person damaged by reason of coal mined not having been weighed and credited to him in accordance with the provisions of this act may recover his damages in a civil action against the employer, but such action must be begun within two years after the right thereto accrued; but his right to recover in such action shall not be barred by reason of his having knowledge of the violation of this act at the time.

Approved April 12, 1888.

CHAPTER 55.

PROTECT WORKMEN IN MANAGEMENT AND CONTROL OF WAGES.

H. F. 113.

AN ACT to Provide for the Payment of Wages of Workmen Employed in Mines, in the State of Iowa, in Lawful Money of the United States, and to Protect said Workmen in the Management and Control of their own Earnings.

Be it enacted by the General Assembly of the State of Iowa:

Script, checks,
drafts, etc.,
unlawful.

SECTION 1. It shall be unlawful for any person, firm, company or corporation, owning or operating coal mines in the State of Iowa, to sell, give, deliver or in any manner issue, directly or indirectly, to any person employed by him or it, in payment for wages due for labor, or as advances on the wages of labor not due, any script, check, draft, order or evidence of indebtedness, payable or redeemable otherwise than in their face value in money; any such person, firm, company or corporation who shall violate any of the provisions of this section, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding three hundred (300) dollars nor less than twenty five dollars, and the amount of any scrip, token, check, draft, order or other evidence of indebtedness, sold, given, delivered or in any manner issued in violation of the provisions of this act, shall recover in money at the suit of any holder thereof, against the person, firm, company or corporation, selling, giving, delivering, or in any manner issuing the same: provided that this act shall not apply to any person, firm, company or corporation employing less than ten (10) persons.

Coercion in
matters of
purchase for-
bidden.

SEC. 2. Whoever compels, or in any manner seeks to compel or coerce an employe of any person, firm, company or corporation, to purchase goods or supplies from any particular person, firm, company or corporation, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding five hundred (500) dollars or imprisonment

in the county jail, not exceeding sixty days or both at the discretion of the court.

SEC. 3. The county attorney of any organized county, upon complaint being made to him of the violation of any of the provisions of this act within his county, shall cause such complaint to be investigated before the grand jury of the county where such wrong has been complained of, at its next session following the time such complaint is made. Violation of this act.

Approved April 6, 1888.

CHAPTER 56.

GREATER SAFETY IN MINING.

AN ACT to Amend Sections 8, 9, 10 and 14 Chapter 21 Acts of the 20th S. F. 387.
General Assembly of the State of Iowa.

Be it enacted by the General Assembly of the State of Iowa:

That Sections 8, 9, 10 and 14 Chapter 21 Acts of the 20th General Assembly be and the same are hereby amended as follows

Section 1. That section 8 be amended by adding thereto the following, And Provided further that any escapement shaft that is hereafter sunk and equipped before said escapement shaft shall be located or the excavation for it be begun the District Inspector of Mines shall be duly notified to appear and determine what shall be a suitable distance for the same. The distance from main shaft shall not be less than three hundred feet without the consent of the Inspector and no buildings shall be put nearer the escape shaft than one hundred feet, except the house necessary to cover the fan. Location of escapement shaft.

Sec. 2. That section 9 be amended by adding thereto the following; and Provided further that this Act shall not apply to mines where the escape way is lost or destroyed by reason of the drawing of pillars preparatory to the abandonment of the Mine; Provided that not more than twenty persons shall be employed in said mine at any one time. Mines not applicable.

Sec. 3. That section 10 be amended by inserting after the words "every working place in the Mine" the following: "And whenever the Inspector shall find men working without sufficient air or under any unsafe conditions he shall first give the Operator or his agent a reasonable Notice to rectify the same and upon a refusal or neglect so to do the Inspector may himself order them out until said Portion of said Mine shall be put in proper condition. Duty of Mine Inspectors.

Number of
men to make
improvements.

Sec. 4. That Section 14 be amended by striking out the words "with more than ten persons at once" where they occur in said Section and insert the following: "With more persons at once than are necessary to make the improvements needed."

Approved April 9, 1888.

CHAPTER 57.

TO PREVENT BLACK LISTING.

H. F. 37.

AN ACT for the Protection of Discharged Employes and to Prevent Black Listing.

Be it enacted by the General Assembly of the State of Iowa:

Penalty for
preventing dis-
charged em-
ployes obtain-
ing employ-
ment.

SECTION 1. That if any person, agent, company or corporation, after having discharged any employe from his or its service shall prevent or attempt to prevent by word or writing of any kind such discharged employe from obtaining employment with any other person, company or corporation, except by furnishing in writing on request a truthful statement as to the cause of his discharge, such person, agent or corporation, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars nor less than one hundred dollars, and such person, agent, company or corporation shall be liable in penal damages to such discharged person to be recovered by civil action; but this section shall not be construed as prohibiting any person or agent of any company or corporation from informing in writing any other person, company or corporation setting forth a truthful statement of the reasons for such discharge.

Employes not
to be black lis-
ted by agents.

SEC. 2. If any railway company, any other company or partnership or corporation in this State shall authorize or allow any of its or their agents to blacklist any discharged employes or attempt by word or writing or any other means whatever to prevent such discharged employe or any employe who may have voluntarily left said company's service from obtaining employment with any other person or company except as provided for in section 1 hereof, such company or co-partnership shall be liable in treble damages to such employe so prevented from obtaining employment, to be recovered by him by a civil action.

Publication.

SEC. 3. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in the city of Des Moines and the State of Iowa.

Approved April 16, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 21, 1888.

FRANK D. JACKSON, *Secretary of State.*

SCHOOLS.

CHAPTER 58.

ENDOWMENT FUND OF AGRICULTURAL COLLEGE.

AN ACT to Amend Chapter 193 of Laws of 20th General Assembly, H. F. 571.
in Relation to the Management and Investment of the Endowment Fund of the Iowa Agricultural College.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 8 of chapter 193 laws of 20th General Assembly of Iowa be and the same is hereby amended by inserting after the word "Contained" in the 4th line of said section as the same is printed in the session acts of said 20th General Assembly the following "And to take charge of the foreclosure of the mortgages and collection of bonds from delinquent debtors to said fund when so directed by the said trustees." Chapter 193,
acts 20 G. A.
amended.

SEC. 2. It shall be the duty of said trustees upon the passage of this act to require the said financial agent to execute an additional bond in such sums as shall be fixed by the trustees conditioned for the faithful performance of the additional duties herein required, and for the payment into the State treasury of all sums of money which shall come into his hands belonging to such endowment fund. And when any such agent shall hereafter be appointed by said trustees his bond as required by said section three shall cover all the duties provided in said original section and in this act. Bond of financial agent.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa. Publication.

Approved April 12, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 18, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 59.

PUBLICATION AND DISTRIBUTION OF SCHOOL LAWS.

S. F. 391.

AN ACT to Amend Chapter 150 Laws of the Eighteenth General Assembly Relating to the Publication and Distribution of the School Laws.

Be it enacted by the General Assembly of the State of Iowa:

Chapter 150,
acts 18 G. A.
amended.

SECTION 1. That section 1, chapter 150 laws of the eighteenth General Assembly is hereby amended by striking out after the words *school laws* in the 15" line of said Section the words *The distribution of the laws in paper covers shall be made through the county Auditors under the direction of the Secretary and Auditor of State who shall determine the price covering the cost to the State at which they shall be sold to any party.*

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader—newspapers published in Des Moines Iowa.

Approved April 13, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 60.

FILING OF COPY OF TEACHERS CONTRACT WITH THE SECRETARY.

H. F. 293.

AN ACT Amending Section 1757, Chapter 9, Title 12 of the Code in Relation to the Filing of Teachers Contracts.

Be it enacted by the General Assembly of the State of Iowa:

Section 1757 of
Code amended

SECTION 1. Section 1757, Chapter 9, Title 12 of the Code of Iowa is hereby amended by adding the following after the word *duties* in the last line: "And a copy of all such contracts shall also be filed with the Secretary of the Board by the sub-director, before the teacher enters upon the discharge of his duties."

Approved April 8, 1888.

CHAPTER 61.

FORMATION OF INDEPENDENT SCHOOL DISTRICTS.

AN ACT to Provide for the Formation of Independent School Dis- H. F. 1.
tricts.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The sub-districts of a district township may be constituted independent districts in the manner hereinafter provided.

SEC. 2. At the written request of one third of the legal voters in each sub-district of any district township the board of directors shall call a meeting of the qualified electors of each sub-district by giving at least thirty (30) days notice thereof by posting three (3) written notices in each sub-district in the township, at which meeting the electors shall vote by ballot for or against Independent District organization. Meeting called at request of one-third legal voters.

SEC. 3. If a majority of the votes cast in each sub-district shall be favorable to such independent organization then each sub-district shall become an independent district. Majority vote.

SEC. 4. The board of directors of the old district township so voting shall then call a meeting in each independent district for the election of three (3) or more directors as may be required by law, and the organization of the said independent district shall be completed and governed in the same manner as other and similar independent districts. Election of directors.

Approved April 8, 1888.

CHAPTER 62.

BOUNDARIES OF INDEPENDENT SCHOOL DISTRICTS.

AN ACT Authorizing Boards of Directors to Change the Boundaries of Independent School Districts within the Same Civil Township. H. F. 115.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The boundary lines of contiguous independent districts within the same civil township, may be changed by concurrent action of the respective boards of directors at their regular meeting in September, or at special meetings thereafter called for that purpose; provided, that the district so formed, from which territory has been detached, shall not contain less Change of boundary line.

than four (4) government sections of land; and provided, further, that the boundary lines of said districts shall conform to the lines of congressional divisions of land.

Approved April 9, 1888.

CHAPTER 63.

CONSOLIDATION OF INDEPENDENT SCHOOL DISTRICTS.

H. F. 993. AN ACT to Amend Section 1811 of the Code Relative to the Consolidation of Independent School Districts and to Allow Contiguous Territory in Adjoining Counties to be Formed into Independent School Districts in Certain Cases, and to Legalize the Consolidation of Independent School Districts Heretofore Effected, in Certain Cases.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 1811 of code amended. SECTION 1. Section 1811 of the code is hereby amended by inserting after the word "districts" in the fourth line thereof, the words "or, should there not be ten legal voters in one of such districts, then at the written request of the majority of such voters." That section 1811 be further amended by adding to the end thereof, the words "That where from the courses of Iowa rivers, and the contour of the adjoining territory, the proper school facilities cannot be given to the school children of each territory by forming school districts from the territory in any one county, independent school districts may be formed from the contiguous territory in adjoining counties."

Independent school districts may be formed.

Districts where less than 10 voters, legalized. SEC. 2. Any independent school districts heretofore formed under said section 1811, where there were less than ten legal voters residing therein at the time of the consolidation is hereby legalized and made valid provided that two thirds of the legal voters then residing in such independent district petitioned for such consolidation.

Approved March 31, 1888.

CHAPTER 64.

STATE NORMAL SCHOOL.

AN ACT to Amend Sections Two, Three and Nine, Chapter 129, Acts S. F. 279, of the Sixteenth General Assembly, Making the Superintendent of Public Instruction a Member of the Board of Directors of the State Normal School.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 2, chapter 129 of the acts of the Sixteenth General Assembly be and the same is hereby amended as follows: By inserting after the word "county" in the third line thereof the following words: "and the Superintendent of Public Instruction shall be ex-officio a member of said board and president thereof." Strike out the word "they" in the third line of said section and insert in place thereof the words "the Board of Directors." Sec. 2, chapter 129, acts 16 G. A. amended.

SEC. 2. That section 3 of said chapter be amended by striking out of the fourth line of said section the words "president and"; and section 9 of said chapter is hereby amended by striking out of the second line the words "Superintendent of Public Instruction" and inserting in lieu thereof the word "Governor." Sec. 3 amended.

SEC. 3. This act, being deemed of immediate importance, shall be in full force and effect upon its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader March 31, 1888.

FRANK D. JACKSON, *Secretary of State.*

HEALTH.

CHAPTER 65.

CHANGING TIMES OF MEETINGS OF LOCAL BOARDS OF HEALTH.

H. F. 178.

AN ACT to Amend Section 24 of Chapter 151 of the Laws of the 18th General Assembly Changing Times of the Meetings of Local Boards of Health.

Be it enacted by the General Assembly of the State of Iowa:

Changing from
May to April,
From November
to October.

SECTION 1. That section twenty four of chapter one hundred fifty one of the laws of the Eighteenth General Assembly be and the same is hereby amended by striking out the word "May" in the second line and inserting in lieu thereof the word "April;" also by striking out the word "November" in the third line and inserting in lieu thereof the word "October;" and also by striking out the word "November" in the seventh line and inserting in lieu thereof the word "October."

Approved April 3, 1888.

CHAPTER 66.

TO REGULATE THE PRACTICE OF MEDICINE AND SURGERY.

S. F. 405.

AN ACT to Amend Section Six, Chapter 104 Acts of the Twenty-first General Assembly, to Regulate the Practice of Medicine and Surgery.

Be it enacted by the General Assembly of the State of Iowa:

Certif. of other
State Boards
received.

SECTION 1. That section Six, Chapter One Hundred and Four, Acts of the Twenty First General Assembly be and the same is hereby amended by adding at the end of said section the following words: "Provided Further, the board may also issue certificates to persons, who, upon application present a certificate of having passed a satisfactory examination before any other State Board of Medical Examiners, upon the payment of the fee provided in Section Three.

Approved April 12, 1888.

CHAPTER 67.

RELATING TO DISEASED SWINE.

AN ACT to Amend Section One of Chapter 79 of the Acts of the H. F. 14.
21st General Assembly of Iowa, Relating to Diseased Swine

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section one of chapter 79 of the acts of the 21st General Assembly is hereby amended by adding at the end thereof, the following: It shall also be unlawful for any person, negligently or willfully to allow his hogs or those under his control, infested with hog cholera or other plague or contagious disease, to escape his control or run at large.

Sec. 1, Chap.
79, acts 21 G.
A., amended.

Approved April 3, 1888.

CHAPTER 68.

CONFINEMENT OF PERSONS ALLEGED TO BE INSANE.

AN ACT to Amend Sections 1401 and 1403 of the Code Relative to S. F. 156.
the Confinement of Persons Found or Alleged to be Insane.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1401 of the Code be and the same is hereby amended by inserting after the word "fees" in the fortieth line the following; And no person during such investigation, or who shall be found to be insane, as above provided, shall during investigation, or after such finding and pending commitment to the hospital for the insane or when *en route* to said hospital be confined in any Jail or prison, or other place of solitary confinement; except in cases of extreme violence, when it may be deemed absolutely necessary for the safety of such insane person, or of the public; and if such violently insane person be so confined there shall at all times during such confinement be some suitable person or persons in attendance in charge of such insane person; but, at no time shall any female be placed in such confinement, without at least one female attendant remaining in charge of such insane person.

Insane persons not to be confined in jail or prison.

SEC. 2. That section 1403 of the Code be amended by adding to said section the words—*Provided* however that any female that may be so confined in such poor-house or Jail shall be at all

Personal care of a female attendant. times under the personal care of a suitable female attendant, who shall hold a key of the apartment in which said insane person is confined.

Publication. SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 6, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 12 and *Des Moines Leader* April 11, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 69.

DEPARTMENT OF CRIMINAL INSANE, MANAGEMENT.

H. F. 545. AN ACT to Organize and Manage the Department for Criminal Insane at the Penitentiary at Anamosa, and to fix the Compensation of the Officers.

Be it enacted by the General Assembly of the State of Iowa :

Government. SECTION 1. The department for the criminal insane in the penitentiary at Anamosa shall be governed by the warden as a part of the penitentiary.

Transfer of convicts. SEC. 2. Whenever the building now being constructed for this department is ready for occupancy the warden shall notify the Governor, who shall order all convicts now being held in the Asylums at Mount Pleasant and Independence, to be transferred from such asylums to the department for criminal insane at the penitentiary at Anamosa, the State to pay the expense of such transfer.

Certificate of Physician. SEC. 3. Whenever any convict at the penitentiary at Fort Madison shall have become insane, the Governor, upon receipt of a certificate from the physician of said penitentiary at Fort Madison, that such convict is insane, shall order him transferred to the penitentiary at Anamosa to be kept in the department for criminal insane for treatment.

Unexpired term of cured convicts. SEC. 4. Whenever a convict who has been transferred from the penitentiary at Fort Madison is confined in the department for the criminal insane, and who shall be pronounced cured before his time has expired, he shall be held in the penitentiary at Anamosa, to serve out his unexpired sentence.

SEC. 5. Whenever a convict in the penitentiary at Anamosa is pronounced insane by the physician of said penitentiary the warden shall place him in the department for criminal insane for treatment.

SEC. 6. No insane convict shall be discharged from the hospital apartment, provided for the criminal insane, until such convict shall be restored to reason, except as hereinafter provided. At the expiration of the term of sentence of such convict, an examination shall be made by competent physicians, and if it shall be found that such convict has not been restored to reason, such fact shall be certified to the Governor; thereupon the Governor shall investigate the matter and if in his discretion, such insane convict should be transferred to one of the hospitals for the insane, he may order said convict to be transferred or he may order that said convict shall be retained in the hospital apartment of the prison for criminal insane. Examination at end of term of sentence.

SEC. 7. The physician for the penitentiary at Anamosa Physician. shall also be the physician for the department for criminal insane, and his salary is fixed at one hundred dollars per month, for his entire services as physician for the penitentiary and the criminal insane.

SEC. 8. Whenever the department for criminal insane is ready for occupancy, the warden may use one ward for female convicts until such time as the department for female convicts is completed; also a portion of the building may be used for hospital purposes for the main prison, until such time as the hospital is built: provided, however that the use of said rooms shall not interfere with the comfort of the criminal insane. Rooms used.

SEC. 9. The warden shall be governed by the same law in appointing guards for the department for insane, as he is in appointing them for the penitentiary.

SEC. 10. Whenever the department for criminal insane is completed the warden may appoint an assistant deputy who shall give a bond to the State in the sum of three thousand Assistant deputy. dollars to be approved by the Governor; said assistant deputy to have charge of the department for criminal insane, under the direction of the warden and deputy, and to assist the deputy in other work if desired, and who shall receive for his services eighty-three and one-third dollars per month. Bond. Compensation.

Approved April 10, 1888.

CHAPTER 70.

SUPPORT OF FAMILIES OF INSANE PERSONS.

S. F. 407. AN ACT to Provide for the Support of the Family of Insane Persons Out of Their Estate and to Amend Section 2276 of the Code.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Amend section 2276 of the Code is hereby amended by adding thereto the following: The Court shall, if necessary set off to the wife, and children under fifteen years of age of the insane person or to either, sufficient of his property of such kind as it shall deem appropriate, to support them for twelve months from the time he was adjudged insane.

Approved April 12, 1888.

Property of insane set off for support of wife and children.

INTOXICATING LIQUORS.

CHAPTER 71.

TO REGULATE THE SALE OF INTOXICATING LIQUORS.

AN ACT to Provide for and Regulate the Sale of Intoxicating Liquors H. F. 501.
for Necessary Purposes; and to Make More Efficient the Laws for the Suppression of Intemperance; and to Repeal Sections 1524, 1526, 1527, 1528, 1529, 1530, 1531 1532, 1533, 1534, 1535, 1536, 1537 and 1538 of the Code of 1873, as Amended by Chapter 148, of the Acts of the 20th General Assembly, and All that Part of Section Two (2) Chapter Eighty Three (83) Acts of the Twenty-First General Assembly After the Words "Medicines and Poisons" in the Fifth Line thereof; and to Amend Sections 1 and 4, Chapter 75 Acts of the 18th General Assembly and to Provide Penalties and Proceedings for Violations of the Provisions thereof.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That after this act takes effect no person shall manufacture for sale, sell, keep for sale, give away exchange, barter or dispense any intoxicating liquor, for any purpose whatever, otherwise than as provided in this act. Persons holding permits as herein provided shall be authorized to sell and dispense intoxicating liquors for pharmaceutical and medicinal purposes and alcohol for specified chemical purposes, and wine for sacramental purposes, but for no other purposes whatever; and all permits must be procured as hereinafter provided from the district court of the proper county at any term thereof after this act takes effect, and a permit to buy and sell intoxicating liquors when so procured shall continue in force for one year from date of its issue unless revoked according to law or until application for renewal is disposed of, if such application is made before the year expires. Provided, that renewals of permits may be annually granted upon written application by permit holders who show to the satisfaction of the court or Judge that they have during the preceding year complied with the provisions of this act and to execute a new bond as in this act required to be originally given, but parties may appear and resist renewals the same as in applications for permits.

Manufacture
forbidden ex-
cept for pur-
poses indi-
cated.

Renewal of
permits.

SEC. 2. Notice of an application for a permit or renewal thereof must be published for three consecutive weeks in a newspaper regularly published and printed in the English language and of general circulation in the city or town where the applicant proposes to keep and sell intoxicating liquors or if there be no newspaper regularly published in such city or town, such

Application
for permit.

publication shall be made in one of the official papers of the county, the last of which publications shall be not less than ten days nor more than twenty days before the first day of the term; and state the name of applicant; the purpose of the application; the particular location or the place where the applicant proposes to keep and sell liquors and that the petition provided for in the next section will be on file in the clerk's office at least ten days before the first day of the term naming it, when the application will be made, and a copy thereof shall be served personally on the county attorney in the same manner and time as required for service of original notices in the district court.

Filing of application for permit to sell.

Specifications.

SEC. 3. Applications for permits shall be made by petition signed and sworn to by the applicant and filed in the office of the clerk of the district court of the proper county at least ten days before the first day of the term, which petition shall state the applicant's name; place of residence; in what business he is then engaged, and in what business he has been engaged for two years previous to filing petition; the place particularly describing it, where the business of buying and selling liquor is to be conducted; that he is a citizen of the United States and of the State of Iowa; that he is a registered pharmacist and now is, and for the last six months has been lawfully conducting a pharmacy in the township or town wherein he proposes to sell intoxicating liquors under the permit applied for, and as the proprietor of such pharmacy, that he has not been adjudged guilty of violating the law relating to intoxicating liquors within the last two years next preceding his application; and is not the keeper of a hotel, eating house, saloon, restaurant or place of public amusement; that he is not addicted to the use of intoxicating liquors as a beverage and has not within the last two years next preceding his application, been directly or indirectly engaged, employed or interested in the unlawful manufacture, sale or keeping for sale of intoxicating liquors and that he desires a permit to purchase, keep and sell such liquors for lawful purposes only.

Applicant to give bond for \$1,000.

Use of bond.

SEC. 4. This permit or renewal thereof shall issue only on condition that the applicant shall execute to the State of Iowa, a bond in the penal sum of one thousand dollars with good and sufficient sureties to be approved by the clerk of the court, conditioned that he will well and truly observe and obey the laws of Iowa now or hereafter in force in relation to the sale of intoxicating liquors; that he will pay all fines, penalties, damages and costs that may be assessed or recovered against him for a violation of such laws during the term for which said permit or renewal thereof is granted. Said bond shall be for the use and benefit of any person or persons who may be injured or damaged by reason of any violation of the law relating to intoxicating liquors purchased, sold or given away during the term for which said permit or renewal thereof is granted. The said bond shall be deposited with the county auditor, and suit shall be brought thereon at any time by the county attorney, or any person for

whose benefit the same is given, and in case the conditions thereof or any of them shall be violated, the principal and sureties therein, shall also be jointly and severally liable for all civil damages, costs and judgments that may be obtained against the principal in any civil action brought by a wife, child, parent, guardian, employer or other person, under the provisions of sections fifteen hundred and fifty six, fifteen hundred and fifty seven and fifteen hundred and fifty eight of the code of Iowa, as the same is amended and now in force, and section twelve, chapter sixty-six, acts of the Twenty first General Assembly of the State of Iowa. All other money collected for breaches of such bond shall go to the school fund of the county. Said bond shall be approved by the clerk of the district court under the rules and laws applicable to the approval of official bonds.

Approval of
bond.

SEC. 5. At least ten days before the first day of the term the applicant shall file with the clerk in support of the application, a petition signed by one third of the freehold voters of the township incorporated town, city or ward in which the permit is to be used, and each person aforesaid shall sign said petition by his own true name and signature, and state that each, before signing the same, has read said petition and understands the contents and meaning thereof, and is well and personally acquainted with the applicant, that the applicant is a resident of the county, is over twenty one years of age, is of good moral character, reputed to be law abiding, and has not been found guilty of violating the laws relating to intoxicating liquors in any proceeding at law or in equity within the last two years next preceding the date of his application as far as the petitioner has knowledge or information and is not in the habit of using intoxicating liquors as a beverage; and that the permit prayed for is necessary for the convenience and accommodation of the people of said locality and that they believe that the applicant is worthy of confidence and will observe the laws governing permitted persons in conducting the dispensation of liquors. On or before 9 o'clock A. M. of the first day of the term any resident of the county may file a remonstrance against granting the permit applied for, which must show the residence, sex and age of the person signing it and the grounds of objection to granting the permit.

Petition to be
filed by
applicant.

Statement set
up in petition.

SEC. 6. No application for a permit or renewal thereof shall be considered or acted upon by the court until the requisite notice has been given and petitions filed as provided by this act, and each is in form and substance such as required. On the first day of the term, having ascertained that the application is properly presented the court shall proceed to hear the application, unless objection thereto be made, in which case the court shall appoint a day during the term, but not later, when the same shall be heard; and in doing so shall consider the convenience of the court, and the interested parties and their counsel so far as the state of the business and the necessities of

Hearing of ap-
plication by
court.

Resisting ap-
plication.

the case will permit. If unavoidable causes prevent a hearing during the regular time allotted to the term, the same shall be heard and disposed of in vacation by the Judge as soon as practicable thereafter. The County Attorney, or other counsel, or any citizen may in person or by counsel appear and resist the application, and whether resisted or objection be made or not the court shall not grant the permit until it shall first be made to appear by competent evidence that the applicant is possessed of the character and qualifications requisite, is worthy of confidence and to receive the trust and will be likely to execute the same with fidelity; and that the statements made in his application and the petition of residents are all and singular true, and, considering the population of the locality and the reasonable necessities and convenience of the people such permit is proper. If the application is resisted the court or judge shall hear controversy upon the petitions, remonstrances and objections, and the evidence offered and grant or refuse such permit, as the public good may require. If there be more than one permit applied for in the same locality, they shall all be heard at the same time, unless for good cause otherwise directed, and the court may grant or refuse any or all of the applications as will best subserve the public interest.

Oath of appli-
cant.

Sec. 7. If the application for the permit or renewal thereof is granted it shall not issue until the applicant shall make and subscribe an oath before the clerk, which shall be indorsed upon the bond to the effect and tenor following:

"I —— do solemnly swear (or affirm) that I "will well and truly perform all and singular the conditions of the within bond, and keep and perform the trust confided in me to purchase, keep and sell intoxicating liquors. I will not sell, give or furnish to any person any intoxicating liquors otherwise than as provided by law, and, especially, I will not sell or furnish any intoxicating liquors to any person who is not known to me personally, or duly identified: nor to any minor, intoxicated person or persons who are in the habit of becoming intoxicated: and I will make true, full and accurate returns of all certificates and requests made to or received by me as required by law; and said returns shall show every sale and delivery of such liquors, made by or for me during the month embraced therein, and the true signature to every request received and granted: and such returns shall show all the intoxicating liquors sold or delivered to any and every person as returned."

Specifications
in permit.

Upon taking said oath and filing bond as herein before provided, the Clerk shall issue to him a permit authorizing him to keep and sell intoxicating liquors as in this act provided: and every permit so granted, shall specify the building giving street and number or location in which intoxicating liquors may be sold by virtue of the same, and the length of time the same shall be in force which in no case shall exceed twelve months.

SEC. 8. Permits granted under this act shall be deemed trusts reposed in the recipients thereof, not as a matter of right but of confidence, and may be revoked upon sufficient showing, by order of the court or judge thereof. Complaint may be presented at any time to the District Court, or one of the judges thereof, which shall be in writing and signed and sworn to by three citizens of the county in which the permit was granted, and a copy of such complaint shall, with a notice in writing of the time and place of hearing be served on the accused, five days before the hearing, and if the complaint is sufficient, and the accused appear and deny the same, the court or judge shall proceed without delay, unless continued for cause to hear and determine the controversy, but if continued or appealed at the instance of the permit holder, his permit to buy and sell liquors may in the discretion of the court be suspended pending the controversy. The complainant and accused may be heard in person or by counsel or both, and submit such proofs as may be offered by the parties; and if it shall appear upon such hearing, that the accused has in any way abused the trust or so conducted the business under the permit as to acquire notoriety and public repute that liquors are sold by the accused or his employes in violation of law or if it shall appear that any liquor has been sold or dispensed unlawfully or has been unlawfully obtained at said place from the holder of the permit or any employe assisting therein, or that he has in any proceeding, civil or criminal, since receiving his permit, been adjudged guilty of violating any of the provisions of this act or the acts for the suppression of intemperance, the court or judge shall by order revoke and set aside the permit; the papers and order in such case shall be immediately returned to and filed by the clerk of the court, if heard by the judge and the order entered of record as if made in court and if in this or any other proceeding, civil or criminal, it shall be adjudged by the court or judge that any registered pharmacist, proprietor or clerk has been guilty of violating this act or the act for the suppression of intemperance and amendments thereto, by unlawfully manufacturing, selling, giving away or unlawfully keeping with intent to sell intoxicating liquors, such adjudication may in the discretion of the Commissioners of Pharmacy work a forfeiture of his certificate of registration, and the Commissioners of Pharmacy shall, upon receipt of a transcript of a judgment or order authenticated by the clerk of the court showing a second and subsequent violation, cancel his registration. It shall be the duty of the clerk to forward to the Commissioners of Pharmacy such transcripts without charge therefor, as soon as practicable after final judgment or order.

Permits may
be revoked.

Judge may re-
voke permit.

SEC. 9. Registered pharmacists who show themselves to be fit persons and who comply with all the requirements of this act may be granted permits, and in any township where there is a registered pharmacist conducting a pharmacy and no pharmacist obtains a permit, if found necessary the court may grant a per-

Permits may be granted to discreet persons not pharmacists.

Records and papers to be kept by clerk of court.

Certificate of authority to purchase.

Return of certificate.

mit to one discreet person in such township not a pharmacist, but having all other qualifications requisite under this act, upon like notice and proceedings as pertain to permitted pharmacists and subject to the same liabilities, duties, obligations and penalties.

SEC. 10. The clerk of the court granting the permit shall preserve as part of the record and files of his office all petitions, bonds and other papers pertaining to the granting or revocation of permits and keep suitable books in which bonds and permits shall be recorded. The books shall be furnished by the county like other public records. Whether said permit be granted or refused the applicant shall pay the costs incurred in the case, and when granted he shall make payment before any permit issue, except the court may tax the cost of any witnesses summoned by private persons, resisting said application, and the fees for serving such subpoenas to such persons when it is shown that such witnesses were summoned maliciously or without probable cause to believe their evidence material. A fee of one dollar and fifty cents shall be taxed for the filing of the petition and one dollar for entering the order of the court approving bond and granting said application, and witnesses shall be entitled to mileage and per diem as in other cases. And fees for serving notices and subpoenas shall be the same as in other cases in the District Court.

SEC. 11. When any person holding a permit in full force desires to purchase or procure any intoxicating liquors to be kept and sold under his permit, the county auditor shall upon the written or printed application of the permit holder, signed by him, specifying the kind and quantity of liquors desired by him, issue to such holder under seal of his office a certificate authorizing him to purchase and cause to be transported from the place of purchase to his place of business described in his permit, the kind and quantity of liquors mentioned in such certificate. Said certificate shall be dated as of its true date when issued and attached to the way bill accompanying the shipment and when so attached, shall be authority for the common carrier in whose hands it may be, to transport and deliver the package or packages containing the liquors therein described and in packages therein designated according to the direction of the certificate. Upon receipt of the liquors, the certificate shall be returned to the auditor who issued the same and be cancelled, filed and preserved by him in his office. No certificate so issued authorizing the purchase and transportation of any intoxicating liquors shall be used more than once or later than thirty days following its date; and such certificate shall be in the following form, to-wit:

"STATE OF IOWA,

..... County. }

"I hereby certify that..... who is permit'ed Form of certificate.
under the laws of Iowa to buy and sell intoxicating liquors
at in said county of...
..... is hereby authorized to purchase and ship to
..... the following described intoxicating liquors, to-wit :
.....
provided such liquors are shipped in the following described
packages, to wit :.....
Witness my hand and the seal of the county this.....day
of..... 18..

.....
Auditor."

SEC. 12. Before selling or delivering any intoxicating liquors Statement of use and kind of liquor purchased.
to any person a request must be printed or written dated of the
true date, stating the age, and residence of the signer, for
whom and whose use the liquor is required, the amount and
kind required, the actual purpose for which the request is made
and for what use desired and his or her true name and resi-
dence, and where numbered by street and number if in a city,
and that neither the applicant nor the person for whose use
requested habitually uses intoxicating liquors as a beverage and
the request shall be signed by the applicant by his own true
name and signature and attested by the permit holder who re-
ceives and fills the request by his own true name and signature
in his own handwriting. But the request shall be refused not-
withstanding the statement made unless the permit holder has
reason to believe said statement to be true, and in no case un-
less the permit holder filling it personally knows the person Permit holder must know purchaser.
applying to be of good moral character, reliable and trustwor-
thy, that he is not a minor, that he is not intoxicated, and that
he is not in the habit of using intoxicating liquors as a bever-
age; or if the applicant is not so personally known to the per-
mit holder before filling the said order or delivering the liquor
he shall require identification and the statement of a reliable Identification of purchaser.
and trustworthy person of good character and habits known
personally to him that the applicant is not a minor and is not
in the habit of using intoxicating liquors as a beverage and is
worthy of credit as to the truthfulness of the statements in the
application and this statement shall be signed by the witness
in his own true name and handwriting stating his residence
correctly. The requests shall be made upon blanks furnished Blanks furnished by county at cost.
by the County Auditor in packages of one hundred each to the
holders of the permits from time to time as the same shall be
needed and shall be consecutively numbered by the Auditor.
The blanks shall be in two series, one for requests by persons
known to the seller and one for requests by unknown appli-
cants, identified and vouched for by a known witness both on

one sheet and each request and identification shall when used be attested by the seller and such attestation shall be conclusive evidence against the permit holder that the seller did fill the order and deliver the liquor as stated therein and that the sale was made with knowledge of the habits and character of the purchaser or witness. The blanks aforesaid shall be procured by the County Auditor in uniform cheap books like blank checks at the expense of the County and furnished to the holders of permits by the County Auditor at actual cost and the proceeds be by said Auditor paid into the county treasury, and the date of delivery shall be endorsed by the County Auditor on each book and receipt taken therefor; and preserved in his office. The permit holder shall preserve the applications in the original form and book except the filling of the blanks therein until returned to the County Auditor. When return thereof is made if the book be full the County Auditor shall endorse thereon the date of return and file and preserve the same. If the book is not filled the Auditor shall remove those filled, enclose the same in an envelope and endorse thereon the name of the permit holder, the date of return and number thereof and file and preserve the same and redeliver the book with endorsement of date thereon and statement of the number remaining therein and so on until the book is filled and return thereof made. All unused or mutilated blanks shall be returned or accounted for before other blanks are issued to such permit holders.

Blanks must be accounted for.

Permit holders to make monthly returns of sales.

Oath to accompany statement.

Books of permit holders.

SEC. 13. On or before the tenth day of each month each permit holder shall make full returns to the county auditor of all requests filled by him and his clerks during the preceding month and accompany the same with a written or printed oath duly taken and subscribed before the county auditor or notary public, which shall be in the following form, to wit: "I being duly sworn on oath state that the requests for liquors herewith returned are all that were received and filled at my pharmacy (or place of business) under my permit during the month of 18.... that I have carefully preserved the same and that they were filled up, signed and attested at the date shown thereon, as provided by law; that said requests were filled by delivering the quantity and kind of liquors required and that no liquors have been sold or dispensed under color of my permit during said month except as shown by the requests herewith returned and that I have faithfully observed and complied with the conditions of my bond and oath taken by me thereon endorsed and with all the laws relating to my duties in the premises." Every permit holder shall keep strict account of all liquors purchased or procured by him in a book kept for that purpose which shall be subject at all times to the inspection of the commissioners of pharmacy and the county attorney, any grand juror or peace officer of the county and such book shall show of whom such liquors were purchased or procured, the amount and kind of liquors

purchased or procured, the date of receipt and amount sold and amount used in compounding medicines tinctures and extracts, amount on hand of each kind for each month, such book shall be produced by the party keeping the same, to be used as evidence on the trial of any prosecution against him or against liquors alleged to have been seized from him or his house, on notice duly served that the same will be required as evidence; and at the same time he returns requests to the county auditor he shall file a statement of such account with such auditor except that the items of sales need not be embraced therein, but the aggregate amount of each kind shall be, and such statement shall be verified before the county Auditor or a notary public. All forms necessary to carry out the provisions of this act not otherwise provided for shall be as may be provided by the Commissioners of Pharmacy.

SEC. 14. Every permit holder or his clerk under this act, shall be subject to all the penalties, forfeitures and judgments and may be prosecuted by all the proceedings and actions, criminal and civil, and whether at law or in equity provided for or authorized by the laws now or hereafter in force for any violation of this act, and the act for the suppression of intemperance and any law regulating the sale of intoxicating liquors and by any or all of such proceedings applicable to complaints against such permit holder; and the permit shall not shield any person who abuses the trust imposed by it or violates the laws aforesaid and in case of conviction in any proceeding civil or criminal all the liquors in possession of the permit holder shall by order of the court be destroyed. On the trial of any action or proceeding against any person for manufacturing selling, giving away or keeping with intent to sell intoxicating liquors in violation of law, or for any failure to comply with the conditions or duties imposed by this act, the requests for liquors and returns made to the Auditor as herein required: the general repute of the accused and his place of business and manner of conducting the same, the quantity and kinds of liquors sold or kept, purchased or disposed of, the purpose for which liquors were obtained by or from him and for which they were used, the character and habits of applicants for liquor and their general repute as to habits of sobriety or otherwise, shall be competent evidence and may be considered so far as applicable to the particular case with any other recognized, competent and material facts and circumstances bearing on the issues involved in determining the ultimate facts. In any suit, prosecution or proceeding for violations of this act or the acts for the suppression of intemperance, and acts amendatory thereof, the Court may compel the production in evidence of any books or papers required by this act to be kept, and may compel any permit holder, his clerk or any person who has purchased liquors of either of them to appear and give evidence, and the claim that any such testimony or evidence will tend to criminate the person giving such evidence shall not excuse such person or witness

Penalty of
abuse of trusts.

Liquors confiscated.

Evidence in
action against
seller.

Number of violations not limited by indictment.

Registered Pharmacists not holding permits.

Comrs. of Pharmacy may make further rules.

No intoxicating compound to be used as a beverage.

Permit holders liable for sales of clerks.

from testifying or producing such books or papers in evidence: but such oral evidence shall not be used against such person or witness, on the trial of any criminal proceeding against him. Any number of distinct violations of this act may be charged in one indictment in different counts and all tried in the same action, the Jury specifying the counts, if any, on which the defendant is found guilty.

SEC. 15. Registered pharmacists, conducting pharmacies and not holding permits and manufacturers of proprietary medicines are hereby authorized to purchase of permit-holders in the counties of their residence, intoxicating liquors (not including malt) for the purpose of compounding medicines, tinctures and extracts that cannot be used as a beverage. Said permit-holders shall not charge such registered pharmacists over 10 per cent net profit for liquors so sold, such purchasers shall keep a record of uses to which the same are devoted, giving the kind and quantity so used. And on or before the tenth day of each Calendar month they shall make and file with the County Auditor sworn reports for the preceding calendar month giving full and true Statements of the quantity and kinds of such liquors purchased and used, the uses to which the same have been devoted, and giving the names of the permit-holders of whom the same were purchased and the dates and quantities so purchased, together with an invoice of the amount of each kind still in stock and kept for such compounding. The commissioners of pharmacy are hereby empowered and directed to make further rules and regulations regarding the quantity of intoxicating liquors to be kept in stock by such pharmacists at any one time, and such further rules and regulations with respect to the purchase, use and keeping of such liquors as they may deem proper for the prevention of abuses of the trust reposed in such purchasers, and if the said registered pharmacist sell, barter, give away, exchange or in any manner dispose of said liquors, or use the same for any purpose other than authorized in this Section, he shall upon conviction before any District Court thereof forfeit his certificate of registration; and be liable to all the penalties, prosecutions and proceedings at law or in equity provided against persons selling without a permit, and upon any such conviction the clerk of the District Court shall within ten days after said Judgment or order transmit to the Commissioners of Pharmacy the certified record thereof, upon receipt of which the commission shall strike his name from the list of pharmacists and cancel his certificate. Provided, that nothing herein contained shall be construed to authorize the manufacture or sale of any preparation or compound under any name, form or device which may be used as a beverage and which is intoxicating in its character.

SEC. 16. A permit holder may employ not more than two registered pharmacists as clerks to sell intoxicating liquors in conformity to the permit and provisions of this act, but in such case the acts of his clerks in conducting the business shall be deemed the acts of the permit holder who shall be liable there-

for as if he had personally done the acts and in making returns the verification of such requests as may have been received attested and filled by a clerk must be made by such clerk and the clerk who transacted any of the business under the permit must join in the general oath required of the employer so far as relates to his own connection therewith. If for any cause a registered pharmacist who holds a permit shall cease to hold a valid and subsisting certificate of registration or renewal thereof his permit shall thereby be forfeited and be null and void.

SEC. 17. Any person holding a permit in force when this act takes effect may continue to purchase, keep and sell intoxicating liquors according to the laws under which his permit was given until such time as a permit can be obtained under the provisions of this act but all such permits shall expire on the first day of October 1888.

Permits in force when law takes effect.

SEC. 18. If any person shall be convicted of violating any of the provisions of this act or of the acts regulating the practice of pharmacy or any acts for the suppression of intemperance or amendments thereto by reason of a prosecution by the commissioners of pharmacy all fines so imposed and collected shall be paid into the county treasury of the proper county for the use of the school fund, and the Commissioners of Pharmacy shall be entitled to draw from the State treasury an amount not exceeding 50 % of the amount of the fines so collected to be used solely in prosecution instituted by them for failure to comply with the provisions of this act or of the acts regulating the practice of Pharmacy. And the Court before whom any prosecution instituted and prosecuted by the Commissioners of Pharmacy shall certify to the Auditor of State all cases in which they have appeared as prosecutors, either in person or by their attorney, and the amount of fines imposed and collected in such Cases; And the commissioners of pharmacy shall have power to revoke the certificate of registration of pharmacists for repeated violation of this act. Said amount to be drawn from time to time upon the warrants of the State Auditor which shall issue for the payment of expenses actually incurred in said prosecutions after said expenses shall have been audited by the Executive Council.

Persons convicted of violation of law.

Certificate of prosecution filed with Auditor.

SEC. 19. If any person shall make any false or fictitious signature or sign any name other than his or her own to any paper required to be signed by this act or make any false statement in any paper or application signed to procure liquors under this act, the person so offending shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$20 (twenty dollars) nor more than one hundred dollars (\$100) and cost of prosecution and shall be committed until said fine and cost are paid or be imprisoned not less than ten nor more than thirty days. If any permit holder or his clerk shall make false oath touching any matter required to be sworn to under the provisions of this act, the person so offending shall upon conviction therefor be punished as provided by

Penalty for false statement or signature.

Penalty for
excess of pur-
chase.

law for perjury. If any person holding a permit under this law shall purchase or procure any intoxicating liquors otherwise than authorized by this act, or in any larger quantities than shall be stated in the County Auditor's certificate obtained by him for that purpose, or make any false return to the County Auditor, or use any request for liquors for more than one sale or the County Auditor's certificate for purchasing liquors for more than one purchase, in any of such cases he shall be deemed guilty of a misdemeanor and upon conviction, punished accordingly.

Various laws
cited and
repealed.

SEC. 20. That Sections 1524, 1526, 1527, 1528 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, and 1538 of the Code of 1878 as amended by Chapter 143 of the Acts of the 20th General Assembly and all that part of Section two (2) chapter Eighty-three (83) acts of the Twenty first General Assembly after the words "medicines and poisons" in the fifth line thereof be and the same is hereby repealed, and by inserting after the word poison in the fifth line of Section 2 Chapter Eighty three Acts of the Twenty first General Assembly the following words, "excepting intoxicating liquors" provided that nothing in this act shall be construed to abate any action or proceeding now pending in any Court in this State for a violation of the provisions of the Sections hereby repealed or to operate to bar any prosecutions hereafter brought for any such violations committed prior to the passage and taking effect of this act.

Sec 1 Chap 75
acts 18 G. A.
amended.

SEC. 21. That section one, chapter 75 of the acts of the Eighteenth General Assembly be and the same is hereby amended by striking out the words "for medical use, except as hereinafter provided", at the end of said section and inserting in lieu thereof the words, "and any person violating the provisions of this section shall be liable to pay a penalty of five dollars for each day of such violation and cost of prosecution. Suits brought to recover any of the penalties provided for in this act or the acts to which it is amendatory shall be instituted in the name of the State of Iowa by the county Attorney or under the direction and by the authority of the Commissioners of Pharmacy for the State of Iowa. In all cases brought under this act or the acts to which it is amendatory, the prosecution need not prove that the defendant has not the required pharmacy certificate of registration; if the defendant has such certificate he must produce it".

Suits brought
in the name of
State of Iowa.

Sec. 4 Chap. 75
acts 18 G. A.
amended.

SEC. 22. That Section 4, Chapter 75 of the Acts of the Eighteenth General Assembly be and the same is hereby amended, by striking out the words "a duplicate of which is to be kept in the Secretary of State's office" in the second and third lines of said Section.

Publication.

SEC. 23. This Act being deemed of immediate importance shall take effect and be in force from and after its publication

in the Iowa State Register and Des Moines Leader newspapers published in Des Moines Iowa.

Approved April 12, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 13, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 72.

RELEASE OF PENALTIES—SALE OF INTOXICATING LIQUORS.

AN ACT to Release Certain Penalties for Failure to Make and File H. F. 605.
Reports of Sales of Intoxicating Liquors by Holders of Permits,
Within the Time Required by Law, and to Dismiss Suits.

WHEREAS; The Twentieth General Assembly of the State of Iowa, passed an act amending title eleven (11) chapter six (6) of the Code of Iowa and fixing the time within which parties holding permits for the sale of intoxicating liquors shall make and file their monthly reports with the county Auditor within five days from the last Saturday of each month as provided in section 1537 and 1538, of the Code of Iowa, and chapter 143 of the laws of the 20th General Assembly of the State of Iowa; and,

WHEREAS; Said law fixed and attached a penalty of one hundred dollars for each failure to make and file said monthly report within five days from the last Saturday in each month, one half of said penalty to go to the informer, and one half to the school fund, and

WHEREAS; A large number of druggists residing in the State and holding permits under the law, have failed to make and file their monthly reports within the five days as required, but in truth and in fact have made and filed said monthly reports with the County Auditor as required by law, but not within the five days as aforesaid, and,

WHEREAS; In many cases large penalties have been incurred by reason of failure to make and file said monthly reports with the County Auditor within the five days as aforesaid without any intention of violating the prohibitory liquor law on the part of the holders of said permit, therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That in all cases in which any druggist holding a permit for the sale of intoxicating liquors, has heretofore failed to make and file the monthly reports and statements with the county auditor within the five days as required by sections 1538 and 1539 of the code of Iowa, and as amended by chapter 143 of the Acts of the Twentieth General Assembly of the State of

Time of filing
monthly re-
ports.

Penalty for
failure to file
report.

Failure to re-
port in time
specified.

Iowa, and within the time therein limited, but has in truth and in fact, prior to the commencement of prosecution, subsequently made and filed such reports with the county auditor as required by law, such filing of said monthly reports shall be taken and deemed to be a fulfillment of the requirements and provisions of said law on the part of said druggist holding said permits as to the time of filing said reports and shall have the same force and effect as though said monthly reports had been filed within the time limited and fixed in said chapter 143, of the Acts of the Twentieth General Assembly of the State of Iowa, and title eleven (11) chapter six (6) of the code of Iowa, and no fine penalty or forfeiture, shall be held or deemed to have been incurred by any druggist holding such permit as aforesaid, by reason of a failure to make and file such monthly reports with the county auditor within the time limited by law. And all penalties fines and forfeitures heretofore incurred by and not adjudged against, any druggist holding such permit on failure to make and file said monthly reports within the five days, the same is hereby released, remitted and discharged.

Cases dismissed by court.

SEC. 2. That in all such cases the same shall be dismissed by the court upon payment by the defendant of all the costs made in the case and a reasonable attorneys fee to plaintiff's attorney to be fixed by the court.

Publication.

SEC. 3. This act being deemed of immediate importance shall become a law, and be in full force after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

I hereby certify that the foregoing was published in the *Iowa State Register* April 19, and *Des Moines Leader*, April 17, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 73.

AMENDING ACTS RELATING TO SALE OF INTOXICATING LIQUORS AND ABATEMENT OF NUISANCES.

S. F. 817.

AN ACT Supplemental to Chapter 143 of the Acts of the 20th General Assembly, and Chapter 66 of the Acts of the 21st General Assembly, Relating to the Sale of Intoxicating Liquors and Abatement of Nuisances.

Be it enacted by the General Assembly of the State of Iowa:

Fees in abatement of nuisance cases.

SECTION 1. In the abatement of a nuisance as provided in section 5, of chapter 66, of the Acts the 21st General Assembly, the officer shall be entitled to the same fees for removing and selling the movable property that he would be for levying on and selling like property on execution And for closing and keep-

ing closed, the building erection or place, as in said section required he shall receive such reasonable fees, as the Court may allow. All such fees and costs to be paid out of the proceeds of the property, sold so far as the same may be available.

SEC. 2. In any action brought by a citizen of the county as provided by section 1, chapter 66, of the Acts of the 21st General Assembly, no Officer, or witness shall be entitled to demand his fees, for services or attendance in advance. And the costs, in case of failure of the prosecution, or inability to collect the same from the defendant, shall be paid in the same manner as provided by law for the payment of fees in the case of criminal prosecutions. But nothing herein shall prevent the court trying such action from taxing the costs to the party bringing the same, in case it appears that the action was brought maliciously and without probable cause.

Demand for
advance fees
not allowed.

SEC. 3. In any action to restrain a nuisance brought under chapter 143, of the Acts of the 20th General Assembly, or Chapter 66 of the Acts of the 21st General Assembly, the party entitled under section 2, of said chapter 66, of the Acts of the 21st General Assembly, to demand a temporary injunction, shall be entitled, on such application for a temporary injunction, to prove the existence of such nuisance, by affidavits, depositions, or testimony of witnesses examined orally in court, at his election, unless the court has by previous order otherwise fixed the form and manner of evidence to be adduced, *provided* however that the plaintiff shall serve the defendant or his counsel with notice of such application, at least three days before such hearing.

Temporary in-
junction.

SEC. 4. In any action to enjoin a nuisance as authorized by section 12, of chapter 143, of the Acts of the 20th General Assembly and chapter 66, of the Acts of the 21st General Assembly, the injunction granted shall be binding on the party or parties enjoined throughout the Judicial District in which the Action is brought. And any person enjoined in such Action, who shall while such injunction remains in force, again engage in, or be in any manner concerned in the selling, or keeping for sale, contrary to law, of any intoxicating liquor, any where within the Jurisdiction of the court, he shall be deemed guilty of Contempt of Court and punished accordingly.

Injunction
binding
throughout
district.

SEC. 5. In all cases of proceedings against persons charged with contempt for violating any injunctions, either temporary or permanent, issued or decreed, under said chapter 143, Acts of the 20th General Assembly or Chapter 66, Acts of the 21st General Assembly, or under this Act, the Court shall order that the Attorney prosecuting or constructing such proceedings against the person so charged, shall be allowed ten per cent. of the amount of the fine assessed against such person, if a fine be assessed against him. And the clerk of the court, when such fine is paid, shall pay over to such Attorney the amount thus allowed him.

Violation of
injunction.

Chapter 66 acts
21 G. A. amended.

SEC. 6. That section 1553, of the Code as substituted and enacted in section 10 of chapter 66, of the Acts of the 21st General Assembly, be amended by striking out the words, "knowingly bring within this State for any other person or persons or Corporation or shall knowingly," where they occur in said section, and insert in lieu of the words so stricken out, the word "shall," and that said section 1553 be and same is further amended by adding at the end thereof the following: Provided however that the defendant may show as a defense hereunder by preponderance of evidence that the character and circumstances of the shipment and its contents were unknown to him.

Shipping package must be correctly labelled.

SEC. 7. It shall be unlawful for any common carrier or other person, to transport or convey by any means, from point to point or from one place to another within this State, any intoxicating liquor, unless the vessel, or other package containing such liquors, shall be plainly and correctly labelled or marked, showing the quantity and kind of liquor contained therein, as well as the name of the party to whom it is to be delivered. And no person shall be authorized to receive or keep such liquors unless the same be marked or labelled as herein required. The violation of any provision of this section, by any common carrier or any agent, or employe of such carrier or by any other person, shall be punished the same as provided in Sec. 1553, as substituted and enacted in Sec. 10, Chapter 66 Acts of 21st General Assembly, for the violation of the provisions of that section. And liquors conveyed or transported, or delivered without being marked or labelled as herein required, whether in the hands of the carrier or some one to whom it shall have been delivered shall be subject to seizure and condemnation as liquor kept for illegal sale.

Publication.

SEC. 8. This Act being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Iowa State Register" and "Des Moines Leader," newspapers published at Des Moines Iowa.

Approved April 12, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 19, and the *Des Moines Leader* April 20, 1888.

FRANK D. JACKSON, *Secretary of State.*

STATE INSTITUTIONS.

CHAPTER 74.

TRUSTEES OF SOLDIERS ORPHANS HOME.

AN ACT to Repeal Section 1623 of the Code and Enact a Substitute S. F. No. 330.
Therefor Relating to the Appointment of Trustees of the
Soldier's Orphan's Home and Home for Destitute Children at
Davenport Iowa.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section 1623 of the Code be and the same
is hereby repealed and the following enacted in lieu thereof:

SEC. 1623. The board of Trustees of the Iowa
Soldiers Orphans Home and home for destitute child-
ren shall consist of three persons, one of whom shall
be a woman, one of whom shall be a resident of Scott
county and no two of whom shall be residents of the
same congressional district, The twenty-third general
Assembly shall appoint one of said trustees to serve for
two years, one for four years and one for six years,
and each general Assembly thereafter shall appoint
one trustee for said home to serve for a period of six
years.

Who shall con-
stitute board of
trustees.

Approved April 9, 1888.

CHAPTER 75.

HOSPITAL FOR INSANE AT CLARINDA, COMMISSIONERS AND TRUS- TEES.

AN ACT Relating to the Hospital for the Insane at Clarinda; to the S. F. 45.
Board of Commissioners thereof, and Providing Trustees there-
for.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the hospital for the insane, located at Clar- Name.
inda, in Page County, shall be known by the name of the Iowa
Hospital for the Insane at Clarinda.

- Trustees.** SEC. 2. That said hospital shall be under the charge and control of five trustees, one of whom may be a woman, one of whom shall be a resident of Page county, three of whom shall constitute a quorum for the transaction of business; but three affirmative votes shall be necessary to carry any measure, and no member of the General Assembly shall be eligible to that office.
- Trustees, terms of office.** SEC. 3. That said trustees shall be elected by the Twenty-Second General Assembly, two of whom shall be elected for two years, two of whom shall be elected for four years, and one of whom shall be elected for six years, their term of office to commence on the second Wednesday of March, 1888.
- Duties and powers of Trustees.** SEC. 4. The duties and powers of said trustees shall be as the duties and powers of the trustees of the hospitals for the insane located at Mount Pleasant and Independence, Provided in chapter 2, of title 11, of the code, and all amendments made thereto.
- Trustees, qualification.** SEC. 5. That said trustees shall qualify in manner as the trustees for the hospitals at Mt. Pleasant and Independence, and shall convene at Clarinda, Iowa, on the second Wednesday of March 1888, and perfect their organization, take possession of the property of the State and enter upon the discharge of their duties.
- Time of organization.**
- Office of Commissioners vacated.** SEC. 6. That when said trustees have qualified and entered upon the discharge of their duties, the Board of Commissioners, who now have charge of said hospital, shall cease to act and their offices shall therefrom be vacated and thereafter the powers and duties of said Board of Commissioners, as provided in chapter 201, of the Acts, of the Twentieth General Assembly, shall devolve upon, and be exercised by the trustees aforesaid.
- Commissioners final report.** SEC. 7. That said Board of Commissioners, shall on or before the first Wednesday of May, 1888, make their final report to the Governor in manner as by law required.
- Publication.** SEC. 8. This act being deemed of immediate importance shall take effect from and after its passage and publication in the Iowa State Register, and the Des Moines Leader, newspapers published at Des Moines, Iowa.
- Approved Feb. 16, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* February 18, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 76.

ADMISSION OF PATIENTS TO HOSPITALS FOR INSANE.

AN ACT To Amend Section 1482 of the Code of Iowa in Regard to S. F. 324.
the Admission of Patients into the Insane Hospital.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section 1482 of the Code be and the same Sec. 1482 of Code amended. is hereby amended by striking out the word "two" in the first line of said section and by striking out the words "Each or either" in the 6th line of said section and inserting in lieu thereof the word "any."

SEC. 2. This act being deemed of immediate importance shall Publication. be in force from and after its publication in the Iowa State Register and Des Moines Leader—Newspapers published at Des Moines Iowa.

Approved March 30, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 3, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 77.

EXPENSES OF CERTAIN TRUSTEES, VISITORS AND REGENTS.

AN ACT To Amend Chapter 92, Laws of the 17th General Assembly and fix the Per Diem and Expenses of Trustees of State Institutions, Members of Visiting Committees to the Hospitals for the Insane, and Regents of the State University. S. F. 320.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1, chapter 92, Laws of the 17th General Assembly be and is hereby repealed.

SEC. 2. That the Trustees of State Institutions, members of Expenses Trustees and Visiting Com. Visiting Committees to the Hospitals for the Insane and Regents of the State University shall receive as their compensation Four (\$4) Dollars per day for each and every day actually employed in the discharge of their duties, and the actual and necessary expenses incurred while so engaged; but in no case shall the amount allowed for expenses exceed Five (5) cents per mile by the nearest traveled route necessarily traveled in such business.

Approved April 11, 1888.

MERCHANDISE.

CHAPTER 78.

PUNISH AND PREVENT FRAUD IN SALE OF GRAIN.

S. F. 47.

AN ACT TO Punish and Prevent Fraud in the Sale of Grain, Seed and other Cereals.

Be it enacted by the General Assembly of the State of Iowa:

Penalty for
selling seeds
at a fictitious
price.

SECTION 1. That whoever, either for his own benefit or as the agent of any corporation, company, association or person, obtains from any other person anything of value, or procures the signature of any such person, as maker, indorser, guarantor or surety thereon, to any bond, bill, receipt, promissary note, draft, check, or any other evidence of indebtedness, as the whole or part consideration of any bond, contract or promise given the vendee of any grain, seed or cereals binding the vendor or any other person, corporation, company, association, or the agent thereof, to sell for such vendee any grain, seed or cereals at a fictitious price, or at a price equal to or more than four times the market price of such grain, seed or cereals; and whoever sells, barters or disposes of, or offers to sell, barter or dispose of, either for his own benefit or as the agent of any corporation, company, association or person, any bond, bill, receipt, promissary note, draft, check, or other evidence of indebtedness, knowing the same to have been obtained as the whole or part consideration for any bond, contract or promise given the vendee of any grain, seed or cereals binding the vendor or any other person, corporation, company, association, or the agent thereof, to sell for such vendee any grain, seed or cereals at a fictitious price, or at a price equal to or more than four times the market price of such grain, seed or cereals, shall on conviction thereof be imprisoned in the penitentiary not more than three years, or be fined in the sum of not more than \$500 nor less than \$100, or both, at the discretion of the Court.

Publication.

SEC. 2. This act being deemed of immediate importance, shall be in full force and effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines Iowa.

Approved April 9, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 17, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 79.

PREVENT FRAUD IN THE SALE OF LARD.

AN ACT to Prevent Fraud in the Sale of Lard, and to Provide Punishment for the Violation thereof.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. No manufacturer or other person or persons shall sell, deliver, prepare, put up, expose or offer for sale any lard or any article intended for use as lard, which contains any ingredient but the pure fat of healthy swine in any tierce, bucket, pail, package or other vessel or wrapper, or under any label bearing the words "pure", "refined", "family", or either of said words alone or in combination with other words of like import, unless every tierce, bucket, pail, package or other vessel, wrapper or label, in or under which said article is sold, delivered, prepared, put up, exposed or offered for sale bears on the top or outer side thereof, in letters not less than one half inch in length and plainly exposed to view, the words "Compound Lard", and the name and proportion in pound and fractional parts thereof of each ingredient contained therein.

Impure lard
must be
labeled
"Compound".

SEC. 2. Any person who violates any provision hereof shall be deemed guilty of a misdemeanor for each violation, and upon conviction thereof shall be fined for the first offense not less than twenty dollars nor more than fifty dollars, and every subsequent offense under this act shall be fined not less than fifty dollars nor more than one hundred dollars.

Punishment
for violation of
law.

Approved March 10, 1888.

CHAPTER 80.

IN RELATION TO FLOUR AND MILL PRODUCTS.

AN ACT to Prevent Fraud in the Sale of Flour and other Mill Products.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That in all cases where flour, meal, and other mill products, are sold by the sack or package purporting to weigh a certain number of pounds, the weight of such sack, or package shall be plainly marked, or stamped thereon. And if

Weight to be
marked on
package.

Penalty for omission.

any such sack or package sold, shall weigh less than the amount marked thereon, the person so selling the same, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined not less than five dollars, or more than twenty five dollars, in the discretion of the court.

Approved March 30, 1888.

CHAPTER 81.

TO AMEND CHAPTER 83, ACTS OF TWENTY FIRST GENERAL ASSEMBLY. SALE OF POISONS.

S. F. 287.

AN ACT to Amend Chapter 83 Acts of the 21st General Assembly Relating to the Sale of Poisons.

Be it enacted by the General Assembly of the State of Iowa:

Section 4,
chapter 83,
acts 21st Gen-
eral Assembly,
amended.

Concentrated
lye and potash
to be labeled
"poison".

SECTION 1. That Section 4, Chapter 83, Acts of the 21st General Assembly be and the same is hereby amended by adding to the end thereof the following,

"Nor from selling concentrated lye and potash, provided however that if any person sell or deliver said concentrated lye or potash without having the word "poison" and the true name thereof written or printed upon a label attached to the vial, box, or parcel containing the same shall be punished by imprisonment in the county Jail not more than thirty days, or by fine not exceeding one hundred dollars, but they shall not be compelled to register the sales of said lye and potash as required by section 4088, Code of 1873.

Publication.

SEC. 2. This act being deemed of immediate importance shall be in full force and effect on and after its publication in the Iowa State Register and Daily Des Moines Leader, newspapers published in Des Moines Ia.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 31, 1888.

FRANK D. JACKSON, *Secretary of State.*

MISCELLANEOUS.

CHAPTER 82.

PUBLIC PRINTING AND BINDING.

AN ACT to Amend, Revise, and Consolidate the Various Acts Relating to the Public Printing and Binding and the Publication and Distribution of the Public Documents and the Journals of the Two Houses, and Relating to the Election and Duties and Compensation of State Printer and Binder. S. F. 251.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The State printer and the State binder shall be elected at each regular session of the General Assembly, and shall hold their offices for two years from the time they enter upon the duties of such offices, which time shall be on the first day of May in the year following that in which they are elected; but from and after the year 1893 the term of each of the officers named shall begin on the first day of January in the odd numbered year. Election of
Printer and
Binder and
Term of office.

SEC. 2. They shall keep their respective offices at the seat of government sufficiently equipped to enable them promptly to print and bind the laws, Journals, reports, and to do all other printing and binding required for the State officers, or by or for the General Assembly, or either branch thereof; *provided*, that nothing in this section shall be construed as including letter-heads, envelopes, or postal-cards, nor as interfering with the authority of the executive council to apportion so much of the public printing and binding as it may deem advisable to have done at the Institution for the deaf and dumb. Location of
offices.

Institution
Deaf and
Dumb.

SEC. 3. All such work shall be done in a neat, substantial, and workmanlike manner and promptly delivered to the proper officer, so that the public business shall not be delayed or suffer from any failure to have the work done in a reasonable and proper time. Work to be
done work-
manlike and
prompt.

SEC. 4. The State printer shall promptly deliver to the State binder the printed sheets of laws, Journals, and other publications as the work progresses, as well as all other work requiring stitching or binding and the State binder shall, upon completion of the work as required, deliver the same to the Secretary of State, taking his receipt therefor; and it is the duty of the secretary of State to see that the proper number of copies is so delivered. All printing which does not require binding shall be Duties of
Printer,
Binder and
Secy of State.

promptly delivered by the State printer to the secretary of State, or the officer ordering the work.

Regular form
of order to be
used.

SEC. 5. No work shall be ordered of the State printer except upon a regular form of blank furnished by the secretary of State, and kept in his office. Whenever printing is ordered by either house of the General Assembly the secretary or clerk thereof shall immediately notify the secretary of State of such order, and when such printing is done the same shall be delivered to the secretary of State for distribution subject to the instructions of the house ordering the printing.

Secy of State
to make ex-
amination of
work.

SEC. 6. The secretary of State, upon the completion of any printing or binding for the state, or the presentation of any bill for such printing or binding, shall make examination of the work done and ascertain whether it has been done in accordance with the provisions of this chapter. If he find there has been a compliance herewith, he shall certify the same, stating the amount to which the officer presenting the bill, is entitled. In case such work has not been properly done, or any item in said bill has not in his Judgment been earned, he shall refuse to certify as to such item, or shall state what reduced amount, if any, the officer is entitled to, as compensation for such defective work.

May refuse to
certify.

Warrant for
work done.

SEC. 7. The Auditor of State, upon presentation to him of the foregoing certificate, shall draw his warrant upon the Treasurer of State, for the amount therein stated to be due.

Biennial re-
ports.

SEC. 8. The regular biennial reports of the various officers, institutions, commissions, &c. required to be made by law, shall be laid before the governor of the state, in the odd numbered years, at the times following :

Reports due
Aug. 15.

(a) On or before August 15. Those of all boards of trustees of State institutions except the Agricultural College.

Reports due
Sep. 15.

(b) On or before September 15. Those of the fish commissioner, the board of health, the commission of pharmacy, the oil inspector, the mine inspectors, the visiting committee to the hospitals for the insane, the wardens of the penitentiaries, and the board of curators of the State historical society.

Reports due
Oct. 1.

(c) On or before October 1. Those of the State librarian, and the commissioner of labor statistics, and that of the secretary of State pertaining to the State land office.

Reports due
Nov. 1.

(d) On or before November 1: Those of the Auditor of State, the Treasurer of State, the superintendent of public instruction; the State university and the State normal school.

Reports due
Dec. 1.

(e) On or before December 1: That of the board of trustees of the agricultural college, that of the Adjutant General and that of the Secretary of State pertaining to criminal convictions.

SEC. 9. The biennial fiscal term of the State ends on the 30th day of June in each odd numbered year, and the succeeding fiscal term begins on the day following; and the reports of officers and institutions shall cover the period thus indicated, and shall show the condition of their offices and institutions respectively on that day: provided, however, that the period to be covered by the report of the Superintendent of public instruction and the Adjutant General shall extend to the 30th day of September inclusive; and provided, further, that this section shall not apply to the Agricultural College.

Biennial fiscal term ends June 30.

SEC. 10. The Governor shall cause the foregoing reports, and all others required by law to be made, to be printed. He shall however cause to be omitted from the printed copy all matters he may deem not of sufficient importance to warrant publication thereof at the States expense. Such parts of the reports as emanate from boards or officers directly required by law to report, may be leaded with six to pica leads. All extracts copied therein as well as reports and papers submitted therewith shall be set solid. No tables of any character shall be leaded, and all tables shall be set is (in) as compact a form as practicable. Itemized accounts of receipts and disbursements together with inventories, accompanying the reports, shall be omitted from the printed report, unless the Governor deem the same of sufficient importance to warrant their publication. Provided that this section shall apply to the reports of the State agricultural and State horticultural societies, and the stock breeders association, and all officers and bodies required by law to make annual reports. Provided further, that no banquet speeches or advertising shall be included in the printed proceedings of any report.

Reports caused to be printed.

Specifications for printing the reports.

SEC. 11. There shall be printed of the various public documents the number of copies hereinafter designated, to wit; Of the biennial message, twelve thousand copies; Of the inaugural address, six thousand copies; Of the biennial report of the Auditor of State, six thousand copies; Of the annual report of the Auditor upon insurance, four thousand copies; Of the report of the Superintendent of public instruction, six thousand copies; Of the report of the Agricultural College, six thousand copies; Of the report of the State board of health, five thousand five hundred copies; Of the report of the Commissioners of Pharmacy, five thousand copies; And that of the Secretary of State pertaining to lands, three thousand copies; Of the reports of the State visiting committee to the hospitals for the insane, the State inspector of oils, and the examiners in denistry, three thousand copies each; Of the reports of Joint Committees of the General Assembly to visit State institutions, three thousand copies; and of all other reports, three thousand copies. Provided that of the reports which may be required by virtue of Statutes hereafter enacted, the number of copies to be printed thereof shall, where not provided for by law, be fixed by the Executive Council at any number not exceeding five thousand

Number of reports to be printed.

of said reports, five hundred copies each shall be bound in cloth and the remainder in double thick paper covers. Reports of legislative visiting and special committees shall be printed and stitched without covers.

Distribution of
the various
reports.

SEC. 12. The Secretary of State shall make distribution of the various public documents turned over to him, as follows:

(a) To the members of the General Assembly six thousand copies of the Message, fifteen hundred copies of the report of the Auditor of State, Superintendent of public instruction and Agricultural College respectively, two thousand copies of the report of the Commissioners of pharmacy, and of the Secretary of State pertaining to lands; seven hundred copies of the reports of the Joint visiting Committee of the General Assembly to the several State institutions; five hundred copies of the reports respectively of the State visiting Committee to the hospitals for the insane, the State inspector of Oils, and the examiners in dentistry; of the report of the State board of health, two thousand copies; of all other reports fifteen hundred copies.

Doc's for use
of future G.
As'.

(b) six hundred copies of the Message; two hundred copies of each of the reports of the Joint visiting committees, and five hundred copies of each of the other documents to remain with the State for the use of future General Assemblies and specials calls therefor.

Specifications
for binding
Documents.

(c) Fifteen hundred copies of each report shall be stitched and bound in half sheep containing a copy of each report, to be arranged as follows the message, the inaugural address, the reports of the auditor, the treasurer, the Secretary pertaining to lands and other reports of officers and commissions not herein otherwise provided for, in the first volume; in the second volume, the report of the superintendent of public instruction to be followed by those of the University, the Normal school, the agricultural college, the Soldier's Orphan's home, the Soldier's home, the institution for the deaf and dumb, the college for the blind, the institution for the feeble minded, the hospitals for the insane, the State visiting committee to the hospitals and the state historical Society; in the third volume the Message of the Governor concerning (concerning) pardons, the Secretaries reports of convictions, and the reports of the industrial schools and the Penitentiaries; in the fourth volume the reports of the commissioner of labor statistics and the mine inspectors; in the fifth volume the reports of the board of health, the veterinary surgeon, the commissioners of pharmacy, the oil inspector, the dental examiners and the weather service; in the sixth volume the reports of the railway commissioners and those of the executive council concerning the valuation of railroads. Other reports shall be placed with those of a kindred character, and all reports of Joint legislative visiting committees to public institutions, &c, must follow those of such institutions respectively. Provided that any two volumes may be bound together at the

discretion of the Secretary of State. Some distinctive mark shall be put on the even numbered pages of each document to indicate its place in the bound document, with the year of the report on each odd numbered page after the manner of the Iowa documents of 1882, and in each volume shall be placed a table of contents of all the volumes. These fifteen hundred copies shall be distributed as follows; One copy to the Lieutenant Governor, to the Speaker, to each member of the General Assembly, to the Secretary of the Senate, and the Clerk of the House of Representatives; One copy each to the Governor of the State and his private Secretary, the Secretary of State, the Auditor of State, the Treasurer of State, the Attorney General, the Superintendent of Public instruction and the clerk and reporter of the Supreme Court and each of their deputies, the Commissioner of labor statistics, the Adjutant General, the Custodian of the capitol, the fish commissioner and the director of the weather service, and one copy to each of their several offices to remain therein; One copy to each Judge of the Supreme and District and Superior Courts; One copy to the offices of the board of health, the mine inspectors the commission of pharmacy and the railroad commissioners to remain therein; One copy to each railroad commissioner, mine inspector and commissioner of pharmacy; one copy to the State librarian and the Secretary of the State board of health respectively; one copy to each officer not hereinbefore enumerated required by law to make annual or biennial reports; One copy to each member of the boards required to make annual or biennial reports; One copy to each state institution to remain therein; one copy to the office of each county Auditor to remain therein; eighty copies to the State historical Society; one copy to each college and incorporated institution; one copy to each public library and literary institution having a number of books for circulation not less than five hundred; one copy to each ex-governor of the State; one copy to each Senator and Representative in Congress from this State during his term of office; one copy to each of the other States and each territory reciprocating the same, and to each foreign nation or province desiring to exchange like reports; twenty five copies to the State library. The remaining copies to be placed under the control of the executive council, to be disposed of as that body may see fit, the persons so receiving them to pay express charges thereon.

Distinctive
mark to be put
on even num-
bered pages.

Distribution of
the 1500 Vols.

(d) The remaining copies to be distributed to the officers, institutions and committees making report.

Remaining
copies.

SEC. 13. The State Printer shall be furnished daily, during the sessions of the General Assembly, with a copy of the Journal of each house thereof, at such hours and by such officers as may be directed by the houses respectively. The State Printer shall thereupon print and after the same are properly stitched at the State bindery deliver for the use of the Senate and House respectively on the following legislative day, at such hours as may be prescribed by the proper officer, two hundred copies of

Daily Journal
of each House.

the proceedings of the Senate and three hundred copies of those of the House of Representatives. Provided that when session is held after seven o'clock P. M. the proceedings thereof shall be furnished the printer as soon after the close of such session as practicable.

Written journal corrected.

SEC. 14. Upon the return to the Printer by the proper officer of each body of the daily proceedings corrected as shall be directed by the House to which they pertain, the Printer shall correct the same, the Secretary and Clerk correcting the written Journal when necessary to correspond.

300 copies Senate, 500 copies House Journals to be printed, for daily use.

SEC. 15. The State Printer shall forthwith make the corrections indicated, print three hundred copies of the Senate proceedings and five hundred copies of the House proceedings, and deliver them to the State binder sufficiently early to permit the latter to fold, stitch and deliver them to the Secretary of the Senate and Clerk of the House, respectively, not later than noon of the third day following that to which the proceedings pertain. Of the printed proceedings of the Senate, one hundred and twenty five copies shall be delivered to the Sergeant at Arms of the House for distribution therein, and seventy five copies of the proceedings of the House shall be delivered to the Sergeant at Arms of the Senate for distribution therein. The remaining copies shall be under the control of the respective houses for distribution.

2500 copies of Journal printed for future distribution.

SEC. 16. The State printer shall thereupon proceed to print twenty five hundred copies each of the Journals for distribution as hereinafter provided. Within fifteen days after the adjournment of the General Assembly, a complete and thorough index of each Journal shall be delivered to the State Printer, who shall forthwith print the same, and within fifteen days thereafter deliver the sheets complete to the State binder, who shall within thirty days thereafter bind one thousand copies of each Journal in half sheep and fifteen hundred in paper covers, and deliver the same to the Secretary of State.

Final distribution of the Journals.

SEC. 17. The Secretary of State shall make distribution of the Journals of the respective Houses as follows—

(a) Of the bound Journals of the respective Houses five copies of each shall be distributed to each member thereof, five copies each to the Secretary of the Senate and Clerk of the House respectively, and one copy to each officer, employe and reporter of the respective Houses.

(b) The remaining copies shall be distributed as follows; one copy each to the Governor, Lieutenant Governor, the state officers and deputies as provided in Section 12, for the distribution of the documents.

Also one copy of each Journal to each newspaper of general circulation in the State.

(c) The undistributed number shall be under the control of the executive council.

Index to Journals.

SEC. 18. The officers making the index shall receive therefor such pay as may be allowed by the general assembly; but

in the absence of such provision each shall receive such compensation as may be allowed by the executive council, the auditor drawing his warrant therefor upon certificate of the Secretary of State that the work is done.

SEC. 19. The original Journals of the Senate and house shall be filed with the Secretary of State by the secretary and clerk respectively. Original journals filed.

SEC. 20. Within fifty days after the Secretary of State shall deliver to the State printer a copy of the laws, Joint Resolutions and Memorials, passed at any session of the general assembly he shall print all the copies thereof that may be by law required and the Secretary of State shall within five days after the same are printed make out and deliver to such printer an index of the same who shall within ten days after receiving such index, print the same, and deliver to the State binder such copies in sheets as are required for binding; but this section shall not apply to any revised Code adopted by the General Assembly. Printing of session laws.

SEC. 21. The laws, Journals, and all other printing in book form shall be set in long primer, brevier, or nonpareil type: the titles to the laws and resolutions, all indexes, and all messages, reports, and resolutions copied in the Journals, to be in brevier rule and figure work in either brevier or nonpareil as may be directed by the officer ordering the work; all other matter to be in long primer. The pages shall measure not less than seventeen hundred and fifty ems. Whenever a subject is begun, whether it be the name of member or otherwise, the subject matter shall follow in the same line, unless such line is filled by such word. The report of each motion or resolution shall be embraced in one paragraph And where the Yeas and Nays are given each division list shall be in one paragraph, with the names set in alphabetical order and the result in the last line. Specification for printing laws and journals.

SEC. 22. The Secretary of State shall provide a "state" paper receipt book, and whenever he shall deliver to the State printer paper for any kind of printing, a receipt therefor shall be entered in said book, which receipt shall describe the kind and quality of paper so delivered. Receipt for paper.

SEC. 23. The State Printer shall be paid the following prices for all work done for the state in an acceptable manner, as hereinbefore provided and no more. Schedule of prices for printing.

(a) For composition on laws, Journals, reports, circulars and all other printed matter, except blanks, fifty cents per thousand "Ems" and seventy cents per Thousand for figure work when figures are arranged in columns and three or more Justifications are required, and ninety cents per Thousand "Ems" for rule and figure work. *Provided* plain indexes such as those of the Statutes of this State shall be reckoned as ordinary composition. Composition.

(b) For book press work the compensation shall be \$2.50 for the 1st 1000 impressions of 16 pages and \$1.50 per thousand for each additional 1000 impressions from the same form. If in Press work.

finishing a job of press work it shall be necessary to print an 8 page form the compensation shall be the same as for a 16 page form, and if there shall not be 1000 impressions in any one book form the compensation shall be the same as for 1000. No extra charge shall be allowed for dry pressing of sheets which shall be done in all cases when so directed by the Secretary of State.

Blank work.

(c) For printing blanks on one side of a sheet of folio post or larger paper \$2.50 for the 1st 100 impressions, and 75 cents per 100 for each additional 100 impressions up to 500; each additional hundred above 500, 40 cents per 100. On paper smaller than folio post \$2.00 for 1st 100 impressions and 50 cents per 100 for each additional 100 impressions up to 500, each additional 100, 30 cents. Where both sides of a blank can be printed at once only one impression shall be paid for. *Provided*, That when the blank contains over 1000 ems of composition, pica or smaller measure, such additional composition shall be paid for as provided in subdivision (a) of this section, and when such matter must be adjusted to ruled lines 30 per cent additional shall be allowed on the composition therefor. When two or more blanks or Jobs are printed at the same time on this same slant, they shall be counted as a single impression.

No constructive charges allowed printer.

SEC. 24. No Constructive charges of any kind shall be allowed the State printer. And he shall be allowed only for press work done and type actually set up and imposed, or for paper actually printed, and he shall fill (file) with the Secretary of State a copy of each job of work, on which each item of charge is made at the time of rendering his account. Before the secretary can issue him the receipt contemplated by this Act, the actual number of "Ems" and number of impressions of press work in each Job shall be specified with a statement that the law has been strictly complied with, and that no constructive charges are embraced in his account, as rendered, which statement shall be verified by the affidavit of the State printer. Where type set for messages or documents shall be used twice, the State Printer shall have pay for the same but once, but he shall be allowed \$1.50 for reimposing each 16 page form where it is to be used a second time.

Schedule of prices to Binder.

SEC. 25. The State Binder shall be paid the following prices for all work done for the State in an acceptable manner as hereinbefore provided.

Folding and trimming.

(a) For folding and trimming all documents, not stitched, ten cents per hundred copies.

Folding, trimming and stitching.

(b) For folding, trimming and stitching documents not covered fifteen cents per one hundred copies.

Folding, trimming and binding.

(c) For folding, stitching and binding in paper covers all messages, reports, documents, not exceeding one sheet allowing sixteen pages for a sheet \$1.25 per 100 copies of sixteen pages or less, and for each additional sheet of sixteen pages or less 25 cents per 100 copies the cover to be counted as one sheet.

(d) For folding, sewing, and binding in paper covers the Journals in paper cover. journals of the two houses eighteen cents per copy.

(e) For folding, sewing, and binding in muslin or cases with Binding in muslin. gilt letters same style as agricultural report for the year 1886, 25 cents per copy for a volume of 400 pages or less, and for additional 100 pages or fraction thereof 4 cents.

(f) For folding, sewing and binding in half sheep, with gilt letters for title same style as the Iowa Documents for 1886, forty cents per copy for each volume of 400 pages or less and four cents for each additional hundred pages or fraction thereof.

(g) For folding, stitching and binding the Acts and resolutions of each General Assembly in board with muslin backs and Session laws, boards. paper sides, same as laws of 1886, 11 cents per copy.

(h) For folding, sewing and binding in law sheep same style Session laws, sheep. as the report of the Supreme Court fifty five cents per copy, for each volume of 400 pages, or less, and four cents for each additional 100 pages or fraction thereof.

(i) For ruling he shall be allowed the sum of 75 cents per Ruling. hour for time actually employed.

SEC. 26. At any time during the progress of the printing or binding of the laws, or the Journals of either house, or any other work amounting to more than 100 pages the Secretary of State may issue his certificate for one half the value of the work thus far done, to be ascertained by said secretary, and upon said certificate being presented to the Auditor of State, he shall draw his warrant for the amount therein named. Secretary may issue certificate for one half value of work.

SEC. 27. Paragraph 11 of section sixty six of the Code is hereby amended by striking therefrom the words "Monday of November preceding each regular session", and by striking from said paragraph the words "ensuing two years" and inserting in lieu thereof the words "The term following that covered by his report." Sec. 66 Code amended.

SEC. 28. Section 81 of the Code is hereby amended by striking therefrom the words "that date" and inserting in place thereof the words "The first day of July preceding." Sec. 81 Code amended.

SEC. 29. Section 1583 of the Code is hereby amended by striking from the beginning thereof the words "He shall make a report to the general assembly at each regular session thereof" and inserting instead the following "He shall make to the Governor biennially a report. And section 1601 of the Code is amended by striking therefrom the words "General Assembly" and inserting instead the word "Governor." Sec. 1583 Code amended.

SEC. 30. Section 1632 of the Code is hereby amended by striking therefrom the last clause, namely, "to each regular session of the general assembly," and inserting instead the words "biennially to the Governor." Sec. 1632 Code amended.

SEC. 31. Section 1650 of the code is hereby amended by striking therefrom the word "November" and inserting instead the word "July." Sec. 1650 Code amended.

CHAPTER 83.

TO PUNISH BRIBE TAKING.

AN ACT to Punish Bribe Taking by State, County, Township, City, School or Other Municipal Officers, and to Punish Bribery or the Attempt to Bribe, or Conspiracy to Bribe Said Officers. H. F. 376.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That if any State, County, township, city, school or other municipal officer, not mentioned in section 3940 or 3948 of the Code of Iowa of 1873, at any time after his election or appointment to such office, shall, directly or indirectly, accept any valuable consideration, gratuity, service, or benefit whatever, or the promise thereof, other than the compensation allowed said officer by law, conditioned upon said officer doing or performing any official act, casting an official vote, making or procuring the appointment of any person to a place of trust or profit, or using his official influence or authority, to give or procure for any person public employment, or conditioned upon said officer refraining from doing or performing any of the foregoing acts or things enumerated. Such officer shall upon conviction thereof, be punished by imprisonment in the penitentiary for any term of time, not exceeding two years, or in the County jail not exceeding one year, or fines in any sum not less than twenty or more than three hundred dollars. Officers not to accept valuable considerations. Penalty.

SEC. 2. That if any person directly or indirectly, give, offer or promise, or conspire with others to give, offer, or promise to any officer, contemplated in the foregoing section, after said said officers election or appointment to office any valuable consideration gratuity, service or benefit whatever with a view or for the purpose of corruptly influencing said officer's official acts or votes, such person shall be imprisoned in the penitentiary for any term of time not exceeding two years, or in the County jail not exceeding one year, or be fined in any sum not exceeding three hundred dollars, or less then [than] twenty dollars. Penalty for offering bribes.

Approved April 13, 1888.

CHAPTER 84.

FOR THE PUNISHMENT OF POOLS, ETC.

S. F. 35. AN ACT for the Punishment of Pools, Trusts and Conspiracies, and as to Evidence in Such Cases.

Be it enacted by the General Assembly of the State of Iowa:

Parties enter-
ing pools guilty
of conspiracy.

SECTION 1. If any corporation organized under the laws of this State or any other State or country for transacting or conducting any kind of business in this State, or any partnership or individual shall create, enter into, become a member of or a party to any pool, trust, agreement, combination or confederation with any other corporation, partnership or individual to regulate or fix the price of oil, lumber, coal, grain, flour, provisions or any other commodity or article whatever; or shall create, enter into, become a member of or a party to any pool, agreement, combination or confederation to fix or limit the amount or quantity of any commodity or article to be manufactured, mined, produced, or sold in this State, shall be deemed guilty of a conspiracy to defraud, and be subject to indictment and punishment as provided in the next section.

Punishment.

SEC. 2. Any person or corporation found guilty of a violation of this act shall be punished by a fine of not less than one hundred dollars, nor to exceed five thousand dollars, and stand committed until such fine paid.

Trials.

SEC. 3. Upon the trial of an indictment against a corporation or a co-partnership for a violation of the first section of this act, all officers and agents of such corporation or copartnership shall be competent witnesses against the defendant on trial and such officers and agents may be compelled to testify against such defendant and produce all books and papers in his custody or under his control pertinent to the issue in such trial, and shall not be excused from answering any such question, or from producing any books and papers because the same might tend to criminate such witness; but nothing which such witness shall testify to, and no books or papers produced by him shall in any manner be used against him in any suit, civil or criminal, to which he is a party.

Repealing
clause.

SEC. 4. That all acts and parts of acts in conflict with this act be and the same are hereby repealed.

Approved April 16, 1888.

CHAPTER 85.

RESTRICTING NON-RESIDENT ALIENS TO HOLD REAL ESTATE.

AN ACT Restricting Non-resident Aliens in their Right to Acquire H. F. 288.
and Hold Real Estate and Repealing Sections 1908 and 1909 of the
Code.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Non-resident aliens or corporations incorporated under the laws of any foreign country, or corporations organized in this country one half of whose stock is owned or controlled by non-resident aliens, are hereby prohibited from acquiring title to or taking or holding any lands or real estate in this State by descent, devise, purchase or otherwise only as hereinafter provided except that the widow and heirs of aliens who have heretofore acquired lands in this State under the laws thereof may hold such lands by devise or descent for a period of ten years and no longer and if at the end of such time herein limited such lands so acquired have not been sold to a bona fide purchaser for value or such alien heirs have not become residents of this State, such lands shall revert and escheat to the State of Iowa, and it shall be the duty of the county attorney in the counties where such lands are situated to enforce forfeitures of all such lands as provided by this act.

Non-resident
aliens.

Lands to
revert to the
State.

SEC. 2. Any non-resident alien may acquire and hold real property to the extent of three hundred and twenty (320) acres, or city property to the amount of \$10,000 in value, providing that within five years from the date of purchase of said property the same is placed in the actual possession of a relative of such purchaser the occupant being related to such owner within the third degree of kindred or the husband or wife of such relative, and further provided, that such occupant become a naturalized citizen within ten years from the purchase of said property as aforesaid.

Conditions by
which 320
acres may be
held.

SEC. 3. It shall be the duty of the county attorney of the county in which such lands are situated to proceed by information in the name of the State of Iowa, against such alien in the district court of the county and summons may issue or service to be had upon such alien by publication as provided by statute for equitable proceedings and the court shall have power to hear and determine such information and declare such lands escheated to the State, and when such forfeiture is declared by the district court it shall be the duty of the clerk of the court to notify the Governor of the State that the title to such lands is vested in the State by the decree of the said court, and the clerk of the court shall present the Auditor of State with the

Duty of
county
attorney.

Reimburse-
ment of
county for
costs.

bill of costs incurred by the county in prosecuting such case and the auditor shall issue a warrant to the clerk of the court on the State treasury to repay the county for such costs incurred, and the lands shall be sold in the manner provided for the sale of school lands in chapter 12, title 12 of the Code, and the proceeds of such sale shall become a part of the permanent school fund of the State.

Limitation of
time for bring-
ing suit.

SEC. 4. No suit for the recovery of property after the execution and recording of the patent or conveyance by the State shall lie, unless said suit shall have been commenced within five years after the title to such property became vested in the grantee of the State, and all persons who fail to bring their suits within the time limited are forever barred, saving however to infants and persons of unsound mind, the right to bring suit at any time within five years after disabilities cease or have been removed; providing, however, that the grantee of the State, immediate or remote shall have the right to demand such restitution for improvements as provided by chapter 7 title 13, of the Code of Iowa.

Sale of lands
by non resi-
dent aliens.

SEC. 5. Any non-resident alien who owns land in this State at the time this act takes effect may dispose of the same during his life to bona fide purchasers for value and may take security for the purchase money with the same rights as to securities as a citizen of the United States.

Holders of
liens.

SEC. 6. This act shall not prevent the holders of liens upon or interest in real estate heretofore or hereafter acquired from holding or taking a valid title to the real estate in which he has such interest, or upon which he has such lien, nor shall it prevent any alien from enforcing any lien or judgment for any debt or liability which may hereafter be created, or which he may hereafter acquire, or which may hereafter be adjudged in his favor or from becoming a purchaser at any sale by virtue of such lien or judgment, provided, however, that all lands so acquired shall be sold within ten years after the title shall be perfected in him under such sales, or in default thereof the same shall revert and escheat to the State as provided in this act.

Law does not
apply to resi-
dent aliens.

SEC. 7. This act shall not apply to aliens who are residents of the State of Iowa, who shall have the same right to acquire, hold and dispose of property as natural born citizens of the United States.

Sections 1908
and 1909 of
code repealed.

SEC. 8. Sections 1908 and 1909, chapter 1, title 13 of the code are hereby repealed, and all acts or parts of the acts in conflict with this act are hereby repealed.

Approved April 9, 1888.

CHAPTER 86.

WHO MAY INCORPORATE.

AN ACT to Amend Section 1058 of the Code Relating to Corporations for Pecuniary Profit. S. F. 235.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section 1058 of the Code be and the same is hereby amended to read as follows.

SEC. 2. Any number of people may associate themselves and become incorporated for the transaction of any lawful business, including the establishment of ferries, the construction, ownership, operation and maintainance [maintenance] of canals, railways, bridges or other works of internal improvement, and the purchase, ownership, operation and maintainance [maintenance] of any Railroad sold or transferred under power of sale or foreclosure of any mortgage deed or trust; but such incorporation confers no power or privilege not possessed by natural persons, except as hereinafter provided.

Any number
of persons may
incorporate.

Approved April 7, 1888.

CHAPTER 87.

FIXING DURATION OF CORPORATIONS OTHER THAN FOR PECUNIARY PROFIT.

AN ACT to Amend Section 1091 of the Code of 1873 Relating to Corporations Other than Those for Pecuniary Profit. H. F. 560.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1091 of the code of 1873 be and the same is hereby amended by adding thereto the following words: "Corporations organized under this chapter shall endure for the period of fifty years from and after their organization unless sooner dissolved by a vote of three fourths of all the members thereof or by operation of law, and all corporations heretofore organized hereunder shall be extended for a like period unless sooner dissolved in like manner."

Corporations
may endure
for fifty years.

Approved April 3, 1888.

CHAPTER 88.

MAKING CHANGES IN ARTICLES OF INCORPORATION.

S. N. 146.

AN ACT to Repeal Section 1065 of the Code Relating to Changing Articles of Incorporation an (and) Enacting a Substitute therefor.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1065 of the Code of 1873 be and the same is hereby repealed and the following enacted in lieu thereof:

Acts of Incorporation how amended.

SECTION 1065. That any of the provisions of the Articles of Incorporation may be changed at any annual meeting of the stock-holders or special meeting called for that purpose; but said changes shall not be valid unless recorded and published as the original articles are required to be; and said changes in the Articles need only be signed and acknowledged by the officers of said Corporation.

Publication.

SEC. 2. This Act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines Iowa.

Approved April 7, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register, April 12, and Des Moines Leader, April 11, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 89.

IN RELATION TO BANKS.

S. F. 83.

AN ACT to Amend Section Six, Chapter Sixty, Laws of the Fifteenth General Assembly, Relating to Banks.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 6, Chap. 60, Acts 15 G.A. amended.

SECTION 1. That section six, chapter sixty, Acts of the fifteenth General Assembly be and the same is hereby amended by striking out all of said section after the word "business" in the 52d line and by adding thereafter the following words, "but in no case shall a measure be declared carried, unless receiving three affirmative votes."

SEC. 2. This act being deemed of immediate importance, Publication. shall take effect and be in force from and after its publication in the Des Moines Leader, and the Iowa State Register, newspapers published at Des Moines, Iowa.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader March 30, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 90.

NEGOTIABLE PAPER OBTAINED BY FRAUD.

AN ACT to amend Section 2114 of the Code Relating to Negotiable s. f. 69. Paper Obtained by Fraud.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby added to section 2114 of the code, at the end thereof, the words following: *Provided,* Amount that many be recovered. that if said paper shall have been procured by fraud upon the maker thereof, no holder of such paper shall recover thereon of the maker a greater sum than he paid therefor with interest and costs.

Approved March 23, 1888.

CHAPTER 91.

BONDING OF COUNTY INDEBTEDNESS.

AN ACT to Amend Chapter Twenty two of the Acts of the Twen- H. F. 196. ty first General Assembly Relating to the Bonding of County Indebtedness.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That chapter twenty-two of the acts of the Twenty First General Assembly of the State of Iowa, be and the same is hereby amended, as follows: Strike out of the fourth line of section one of said chapter the figures "1886" and insert in lieu thereof the figures "1888", also strike out of the sixth line of said section the figures "1886" and insert in lieu thereof the figures "1888." Chap. 22 acts 21 G. A. amended.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved March 8, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 10, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 92.

CATTLE WAYS ACROSS PUBLIC HIGHWAYS.

H. F. 145. AN ACT to Amend Chapter 111, of the Acts of the 16th General Assembly by Adding Section Three Thereto, in Regard to the Construction of Cattle Ways Across the Public Highways.

Be it enacted by the General Assembly of the State of Iowa:

Cattle ways
under town-
ship bridges.

SECTION 1. That the following be enacted additional to chapter 111, of the acts of the 16th General Assembly as section 3: Any person or persons desiring to build a cattleyway across a public highway under any township bridge may apply to the board of trustees of the township wherein such bridge is located at the regular April meeting of such board. The said board of trustees may grant such right upon such application and prescribe such conditions in regard to the maintenance of said bridge and cattleyway as they may deem just and proper.

Approved March 24, 1888.

CHAPTER 93.

MUTUAL INSURANCE COMPANIES.

H. F. 46. AN ACT to Amend Section 1160, Chapter 4, Title 9, of the Code of Iowa, Relating to Mutual Insurance Companies.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 1160 of
Code
amended.

SECTION 1. That section 1160, chapter 4, title 9, of the Code of Iowa, be and the same is hereby amended by inserting after the word "number" in the sixth line of said section the following: Except such school houses or church buildings as the said companies deem proper to insure within the territory where they do business.

SEC. 2. This act being deemed of immediate importance, Publication. shall be in force on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 9th, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register, April 12, and Des Moines Leader, April 11, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 94.

RELATING TO LIFE INSURANCE COMPANIES.

AN ACT to Amend Section 1179, of the Code as Amended by Chapter H. F. 197. 169 of the Laws of the 21st General Assembly Relating to Life Insurance Companies.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1179 of the Code of 1873 as amended by chapter 169 of the laws of the 21st General Assembly, be amended so as to read as follows: Section amended.

Section 1179. No company organized under the provisions of this chapter shall invest its funds in any other manner than as follows: In bonds of the United States. In bonds of this State or of any other State if at or above par. In bonds and mortgages on unincumbered real estate within this State or in any other State in which such company is transacting an insurance business, worth at least twice the amount loaned thereon, exclusive of improvements. In bonds or other evidences of indebtedness, bearing interest, of any county, incorporated city, town or school district within this State or any other State, in which such company is transacting an insurance business, where such bonds or other evidences of indebtedness are issued by authority of law, and are approved by the Executive Council. In loans upon its own policies provided that the amount so loaned shall not exceed one half of the reserve against said policy as provided in this chapter at the time such loan is made and that all policies upon which loans are made shall have been issued, and in force at least five years. And a sum not exceeding five per cent of its assets may be invested in stocks of national banks, now or hereafter organized under the laws of the United States.

Investment of
life insurance
Co's funds.

Approved March 29, 1888.

CHAPTER 95.

RELATIVE TO LINE FENCES.

H. F. 168. AN ACT to Amend Sections 1495 and 1508 of Chapter Four (4) Title Eleven (11) of the Code of 1873, in Relation to Line Fences.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 1495 Code amended. SECTION 1. That section 1495 of the code of 1873 be and the same is hereby amended by inserting after the word "encloses" in the fourth line thereof, the word "cultivates."

Sec. 1508 of Code amended. SEC. 2. That section 1508 of the code of 1873 be and the same is hereby amended by adding the following: to-wit, and section 1495 of the code of 1873 and all parts thereof shall be so construed in counties where stock is restrained from running at large as in counties where stock is not so restrained: provided that the provisions of this act shall not apply to counties having a population of less than twelve thousand inhabitants according to the census of 1885.

Approved March 31, 1888.

CHAPTER 96.

TILE OR OTHER UNDERGROUND DRAINAGE.

S. F. 268. AN ACT to Repeal Chapter 188 Laws of the Twentieth (20th) General Assembly and to Enact a Substitute Therefor Relating to Drainage.

Be it enacted by the General Assembly of the State of Iowa:

Chap. 188, acts 20 G. A. re-pealed. SECTION 1. That Chapter 188, laws of the twentiethth General Assembly be repealed and the following enacted in lieu thereof: that whenever any person who is the owner of any swamp, wet or marsh land, which on account of its condition may endanger the public health or is not for that reason in a proper condition for cultivation shall desire to construct any tile or other underground drain through the land of another and shall be unable to agree with the owner or owners of such land as to the same he may file with the clerk of the township where said land is situated an application therefor giving a description of the land or lands through which he may desire to construct the same, and the township clerk shall forthwith notify the township trustees of said township of said application, who shall fix a time and place

Township clerk shall notify trustees.

for the hearing of same, which time shall not be more than twenty days distant, and they shall cause said clerk to notify the applicant and land owner of the time and place of said hearing at least ten days before the time fixed for the hearing of same, which notice shall be in writing, signed by said clerk, and shall be served on said applicant and land owner, if within the county, and if not then upon his agent for said land, if within the county in the same manner as is now provided by law for the service of original notices, and in case that neither said party nor his agent are residents within said county, then the same shall be served by posting written notices in three public places in said township, one of which shall be upon said land at least fifteen days before said hearing.

SEC. 2. That upon the day fixed for hearing, if said trustees are satisfied that the provisions of the prior section have been complied with, they may proceed to hear and determine the same and shall have power to adjourn from time to time until same is completed. Provided that no adjournment shall be for more than fifteen days.

Powers of Tp. trustees as to hearing case.

SEC. 3. The said trustees may fix the point or points of entrance and exit or outlet of said tile or other under-ground drain on said land, the general course of same through said land, the size and depth of same, when the same shall be constructed, how kept in repair, what connections may be made with same, what compensation, if any, shall be made therefor, and any other question arising in connection with same; and they shall reduce their findings to writing which shall be filed with the clerk of said township, who shall record it in full in his book of records of said township, and said finding and decision shall be final unless appealed therefrom as hereinafter provided for.

Trustees may direct construction.

SEC. 4. Wherever any water course or natural drainage line crosses the boundary line between two adjoining land owners and both parties desire to drain the land along such water course or natural drainage line, but are unable to agree upon the conditions as to the juncture or connection of the lines of tile or other drainage at the boundary line aforesaid, then and in such case the township trustees shall have full authority to hear and determine all questions arising relative thereto between such land owners and to render such judgment thereupon as shall to them seem just.

Disagreement of owners.

SEC. 5. Any person shall have the right to go upon any public highway to construct an outlet to a drain provided he shall leave the highway in as good condition as it was before the drain was constructed, to be determined by the Supervisor of highways in the district where the work is done.

Drains may be constructed along highways.

SEC. 6. That whenever any railroad crosses the land of any person or persons who desire to drain their land for any of the purposes set forth in Section one (1) of this Act, the party or parties desiring such drain or drains shall notify the railroad company by leaving a written notice with the nearest Station Agent, stating in such notice the starting point, route or termi-

Railroads crossing land, Co., how notified.

nation of such drain or drains, and if the railroad company refuse or neglect for the space of thirty days to dig across their right of way a drain of equal depth and size of the one dug by the party who wishes [wishes] to drain his land, then the party who desires to drain the land may proceed to dig such drain and the railroad company shall be liable for the cost of the construction of such drain, to be collected in any court having jurisdiction.

Appeal to District court.

SEC. 7. Either party may appeal to the District Court of the county from all the findings of the township trustees, within ten days after the findings have been filed with the clerk, and the party appealing shall cause a notice in writing of the taking of said appeal to be served upon the opposite party for the same time and in the same manner as now provided by law for service of original notice in the District Court; and if the appellant is the party petitioning for the drain, he must furnish a bond conditioned to pay all the costs of appeal assessed against him, said bond to be approved by the township clerk; and the matter shall be tried *denovo* in said Court; Provided that if the appellant does not recover a more favorable finding or judgment in the District Court than he did before the trustees, he shall pay all the costs of the appeal.

SEC. 8. In case of appeal the township clerk shall certify to the District Court a transcript of the proceedings before said trustees, which shall be filed in said court with the appeal bond, the party appealing paying for said transcript and the docketing of said appeal as in other cases, and upon appeal the party claiming damages shall be plaintiff and the applicant defendant.

Costs.

SEC. 9. The applicant shall pay the costs of the trustees clerk and serving of notices on the hearing before the trustees, and shall pay all damages awarded before entering on the construction of said tile or other drain through the lands of the other.

SEC. 10. In case any dispute shall arise as to repair of any tile or other underground drain the same shall be determined by said trustees in same manner as in the original construction of same.

Publication.

SEC. 11. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers printed at Des Moines Iowa.

Approved April 9, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 12 and Des Moines Leader April 11, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 97.

DRAINS AND DITCHES.

AN ACT to Amend Sec. 3 of Chapt. 186 of the Twentieth General S. F. 390.
Assembly in relation to Drains, Ditches &c.

Be it enacted by the General Assembly of the State of Iowa :

SECTION 1. That Sec. 3 of Chapt. 186 of the Acts of the Twentieth General Assembly be and the same is hereby amended by adding to said section the following: Provided that each bond so issued shall express on its face, that the same shall only be paid by taxes assessed levied and collected on the lands within the district so designated and numbered and for the benefit of which district such bond was issued: And provided further that in no case shall any tax be levied or collected for the payment of such bond or bonds, or the interest thereon, on any property outside of the district so numbered, designated and benefited. Chapter 186, acts 20 G. A. amended.
Provisions for payment of bonds.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force on and after its publication in the Des Moines Leader a newspaper published in Des Moines Iowa, and the Onawa Gazett [Gazette] a newspaper published in Onawa Iowa, without expense to the State. Publication.

Approved April 25th, 1888.

I hereby certify that the foregoing act was published in the *Des Moines Leader*, April 27th and in the *Monona County (Onawa) Gazette* May 3, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 98.

STATE DAIRY COMMISSIONER.

AN ACT to Amend Section Eleven (11), and to Repeal Section Seventeen (17) and Enact a Substitute Therefore (Therefor) of Chapter Fifty two (52) of the Acts of the 21st General Assembly, Providing for the Appointment of a State Dairy Commissioner, Continuing said Act as Amended herein, and Providing an Appropriation Therefore (Therefor). S. F. 114.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all that part of Section Eleven (11) of Chapter 52 of the Acts of the 21st General Assembly ending with Sec. 11, Chap. 52 acts 21 G. A. amended.

the word "years" in the Seventh (7th) line be and the same is hereby repealed and the following enacted in lieu thereof: "The Governor shall on or before the first day of April of each even numbered year appoint an officer, who shall be known as the Iowa State Dairy Commissioner, who shall have practical experience in the manufacture of dairy products, and who shall hold his office for the term of two years from the first day of May following his appointment: or until his successor is appointed and qualified.

Section 17
amended.

SEC. 2. That Section Seventeen (17) is hereby repealed and the following enacted in lieu thereof—"That the unexpended portion of the appropriation provided for by Section 17 of the 52 chapter of the Acts of the 21st General Assembly, is hereby appropriated for the next biennial period, or so much thereof as may be necessary for the proper carrying out of the purposes of the Act; but not more than one half of said unexpended balance shall be drawn from the State Treasury prior to the 1st day of May 1889. The amount hereby appropriated shall be expended only under the direction and with the approval of the Executive Council. And all salaries, fees, costs and expenses of every kind incurred in the carrying out of this law shall be drawn from the sum so appropriated.

SEC. 3. That said Chapter 52 of the Acts of the 21st General Assembly as hereby amended is continued as a general and permanent statute.

Publication.

SEC. 4. This act being deemed of immediate importance, shall take effect and be in force, from and after its publication in the Iowa State Register and Iowa Homestead, newspapers published at Des Moines Iowa.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 30, and the *Iowa Homestead* April 6, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 99.

DESIGNATING OFFICERS WHO MAY TAKE ACKNOWLEDGEMENTS OF CONVEYANCES ETC. OF REAL ESTATE.

S. F. 399.

AN ACT Designating Officers who May Take Acknowledgement of Conveyances of Real Estate and Incumbrances Effecting [Affecting] the Same, and Amending Section 1955 of the Code.

Be it enacted by the General Assembly of the State of Iowa:

Section 1955 of
Code amended

SECTION 1. That Section 1955 of the Code is hereby amended by adding to the end thereof the words "or before the County Auditor, or his Deputy."

SEC. 2. This Act being deemed of immediate importance shall take effect and be in force from and after publication in the Iowa State Register and the Des Moines Leader, newspapers of general circulation in the State.

Approved April 9th, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 20, and the Des Moines Leader, April 19, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 100.

CERTIFICATE AS TO COMMISSION OF NOTARIES PUBLIC.

AN ACT to Amend Section 260 of the Code of 1873, Relating to Notaries Public.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section 260 of the Code be amended by striking out the words "Certified Copy thereof" in line two (2) and insert in lieu thereof the words "Certificate of such appointment."

Certificate instead of duplicate copy.

Approved April 6th. 1888.

CHAPTER 101.

SUPPORT OF THE POOR.

AN ACT to Amend Sec. 1365 of the Code, Relative to the Support of the Poor.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That Sec. 1365 of the Code be and the same is hereby amended by inserting after the words "such relief" and before the word "as" in the fourth line thereof the words "subject to the approval of the board of supervisors" and also by adding after the last word of sec. 1365 of the Code, the following words: "the board of supervisors may examine into all claims including claims for medical attendance allowed by the township trustees for the support of the poor and if they find the amount allowed by said trustees to be unreasonable, exorbitant or for any goods or services other than for the necessities of life, they may reject or diminish the claim as in their judgment would be right and just, and this act shall apply to

Board of Supervisors may examine and pass on claims.

all counties in the State whether there are poor houses established in the same or not: provided that this act shall apply to acts of overseers of poor in cities as well as to township trustees.

Approved April 10, 1888.

CHAPTER 102.

KEEPERS OF PEDIGREE BULLS AND STALLIONS, TO POST COPY OF CERTIFICATE OF REGISTRATION.

S. F. 65.

AN ACT to Provide that Owners and Keepers of Pure Bred or Thorough Bred Bulls Standard Bred or Thorough Bred Stallions Shall Post Notice of Their Registration.

Be it enacted by the General Assembly of the State of Iowa:

Certificate of Registration to be placed on stall where stallion or bull is kept.

SECTION 1. Any owner or keeper of a stallion or bull for public service, who represents him to be a pure bred, or thorough bred bull, or standard bred, or thorough bred stallion or bull, of any breed of horses or cattle, that have a stud or herd book for the registration of their pedigrees, shall place a copy of certificate of registration on the door of the stall or stable, where said stallion is usually kept, giving the number of Registration, name of breeder and name of animal and the volume and page of the stud or herd book in which said stallion or bull is recorded and when requested to do so shall give to any patron a copy of said certificate.

Penalty for violation of this act.

SEC. 2. Any owner or keeper of such stallion or bull who shall violate provisions of this act shall be deemed guilty of a misdemeanor, and shall be punished accordingly.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect, and be in force from and after twenty days after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 6, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 103.

RELATING TO OFFENSES AGAINST PUBLIC POLICY.

AN ACT to Amend Section 4063 of the Code and fix Penalty for S. F. 364.
Violation thereof and defining duty of Peace Officers, in relation to offenses against public policy, in such way as to provide further protection for the song birds and birds of beautiful plumage in this State.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That it shall be the duty of every peace officer who may have knowledge of any violation of the provisions of section 4063 of the Code to immediately file an information against the person so violating said provisions before some justice of the peace having jurisdiction of said offense and to cause the arrest of such person and to immediately give the county attorney all information within his knowledge concerning such violation. Duty of peace officer to file information.

SEC. 2. Any peace officer who may have knowledge of any violation of the provisions of said section 4063 and shall fail and neglect to perform his duty as herein specified shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined not less than two nor more than ten dollars. Neglect of duty.

SEC. 3. Section 4063 of the code is hereby amended by inserting after the words "aquatic birds" the words, "English Sparrows." Section 4063 of Code amended.

Approved April 11, 1888.

CHAPTER 104.

PREVENT UNLAWFUL USING OF CERTAIN EMBLEMS AND BADGES.

AN ACT To prevent Persons from Unlawfully using or wearing the S. F. 422.
Emblems and Badges of the Grand Army of the Republic, or of the Military Order of the Loyal Legion of the United States.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That any person who shall wilfully wear the badge or button of the Grand Army of the Republic, or the insignia or rosette of the Military Order of the Loyal Legion of the United States, or use the same to obtain aid or assistance within this State, unless he shall be entitled to wear the same under the rules and regulations or constitution of such organ- Wearing of certain badges unlawfully, punishable.

izations, shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for a term not to exceed thirty days, or a fine not to exceed twenty dollars.

Approved April 9, 1888.

CHAPTER 105.

RELIEF OF UNION SOLDIERS, SAILORS AND MARINES.

H. F. 41. AN ACT to Provide for the Relief of Union Soldiers, Sailors and Marines and the Indigent Wives, Widows and Minor Children of Indigent or Deceased Union Soldiers, Sailors and Marines.

Be it enacted by the General Assembly of the State of Iowa:

2-10 mill tax
for relief of in-
digent soldiers
and depend-
ents.

SECTION 1. That the board of supervisors of the several counties of this State are hereby authorized to levy, in addition to the taxes now levied by law, a tax not exceeding three tenths of one mill upon the taxable property of their respective counties, to be levied and collected as now provided by law for the assessment and collection of taxes, for the purpose of creating a fund for the relief and for funeral expenses of honorably discharged indigent union soldiers, sailors and marines, and the indigent wives, widows and minor children not over fourteen years of age in the case of boys, and not over sixteen years of age in the case of girls, of such indigent or deceased union soldiers, sailors or marines, having a legal residence in said county to be disbursed as hereinafter provided.

Soldiers Relief
Commission
created.

SEC. 2. The board of supervisors in each county of this State shall on or before the first Monday of September, 1888, appoint three persons, who are residents of such county, at least two of whom shall be honorably discharged union soldiers, one to serve three years, one to serve two years, one to serve one year from date of appointment, and each year thereafter one person to serve for three years, such persons so appointed, when organized by the selection of one of their number as chairman, and one as secretary, shall be designated and known as "The Soldiers' Relief Commission." The members of said commission shall qualify by taking the usual oath of office and shall each give bonds in the sum of five hundred dollars for the faithful performance of their duties. In the event of a vacancy in said commission occurring from any cause, the board of supervisors shall fill the vacancy for the unexpired term.

Meeting and
duties of Com.

SEC. 3. The Soldiers' Relief Commission shall meet at the county auditor's office on the first Monday in September of each year, and at such other times as is deemed necessary, and shall examine and determine who are entitled to relief under the provisions of this act, and shall make lists of such persons, and at

the September meeting such commission, after determining the probable amount necessary for the purpose provided herein, shall certify the amount to the board of supervisors, and the board of supervisors of each county, at its September meeting each year, shall make such levies as shall be necessary to raise the required relief fund, not exceeding three-tenths of a mill on the taxable property of such county. The Soldiers' Relief Commission shall fix the amount to be paid in each case, the aggregate not to exceed the levy of said tax for any one year and shall certify the lists to the county auditor. The auditor shall within twenty days thereafter, transmit to the township clerks in his county a list of the names of the persons in the respective townships to whom relief has been awarded and the amount thereof. The auditor, on the first Monday of each month after said fund is ready for distribution shall issue his warrant to the Soldiers' Relief Commission, upon the county treasurer, for the several amounts awarded. Such commission shall disburse the same to the person or persons named in the lists, taking receipts therefor; or such fund may be disbursed in any other manner directed by the commission; provided, however, that when said commission is satisfied that any person entitled to relief under this act will not properly expend the amount allowed, the commission may pay the amount to some suitable person who shall expend the same for such person in such manner as the commission may direct; and provided, further, that said commission, at any meeting, may decrease, increase, or discontinue any amount before awarded, and may add new names to the lists, which shall be certified to the county auditor. The Soldiers' Relief Commission shall, at the end of each year, make to the board of supervisors a detailed report of the transactions of such commission; such report shall be accompanied with vouchers for all moneys disbursed.

Auditor issues
warrants.

Sec. 4. The board of supervisors may at any time remove any member of the commission for neglect of duty or maladministration and appoint others in the place of members thus removed.

Members of
Com. may be
removed.

Approved March 31st, 1888.

CHAPTER 106.

REMOVAL FROM ONE PLACE TO ANOTHER OF REGISTERED PHARMACISTS.

S. F. 258.

AN ACT To Amend Sec. 1, Chapter 137, Laws of Nineteenth (19) General Assembly, relating to Registered Pharmacists.

*Be it enacted by the General Assembly of the State of Iowa:*Removal of
Registered
Pharmacists.

SECTION 1. That section one (1) chapter one hundred and thirty seven (137) laws of the nineteenth General Assembly, be amended by adding to said section after the number "Five" (5) in eleventh line, the following, "Provided that Registered Pharmacists who remove to another locality, and re engage in the practice of Pharmacy within a period of two years, and have paid to the Commission of Pharmacy the sum of One dollar on or before the 22nd day of March of each year, as provided in this chapter.

Former registration sufficient.

Such Registered Pharmacist shall not be required to register by examination, but his former registration shall be in full force and effect."

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force, from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa.

Approved April 12th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 19 and *Des Moines Leader* April 18, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 107.

GREATER SAFETY OF PASSENGERS ON SAIL AND STEAM BOATS.

S. F. 194.

AN ACT To Provide for the Greater Safety of Passengers on Board all Sail and Steam Boats on the Inland Waters of the State of Iowa.

*Be it enacted by the General Assembly of the State of Iowa:*Owner must
each year ob-
tain a license.

SECTION 1. That from and after the taking effect of this act it shall be unlawful for any person as owner, agent or master of any sail or steamboat plying on the inland waters of this State, having a capacity to carry five persons or more, to hire such

boat for the carrying of persons, or to receive passengers for carriage thereon for hire, without each year before the boating season and before its use first obtaining a license for the said boat as hereinafter provided; and every person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished accordingly. Punishment for violation. Provided that the provisions of this Act shall not apply to any sail or steam-boat duly licensed under laws of the United States during the term covered by such license.

SEC. 2. That the Governor shall on or before the (2nd) second Monday in May in each year appoint such number of competent and suitable persons inspectors of boats as he may deem necessary, to serve until the second Monday in May of the next ensuing even numbered year, unless sooner removed by the Governor. The person so appointed shall qualify by taking an oath to be endorsed on his certificate of appointment, to faithfully and honestly discharge the duties of his office. Governor to appoint inspectors. Qualification.

SEC. 3. That it shall be the duty of any inspector upon demand of any owner, agent, or master of any sail or steam boat, having a capacity for the carrying of five passengers or more, plying upon the inland waters of the State, and upon payment to him of the fee hereinafter provided for, to thoroughly and carefully inspect such boat and all its machinery and appliances, and if such boat is found safe and suitable to be hired for the carrying of persons or for the carrying of passengers, to give to such owner, agent or master, a certificate to that effect, and certifying therein the number of persons that may be carried thereon; which certificate shall entitle such boat to be used for the carrying of passengers for the season from the date thereof; and said certificate or a copy thereof shall be posted in a conspicuous place on or in said boat. Inspector's duties defined. Certificate. And any owner, agent, or master of such boat, knowingly permitting or receiving for carriage on such boat a greater number of persons than authorized in such certificate shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than Twenty dollars nor more than One Thousand dollars. Certificate to be posted in conspicuous place.

SEC. 4. That it shall be unlawful for any person to act as pilot or engineer on any steamboat carrying passengers on the inland waters of this state, without first obtaining a license so to do as hereinafter provided. And any person violating this provision shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not less than Twenty dollars nor more than five hundred dollars. That any person desiring license as such pilot or engineer shall apply therefor to some inspector appointed under this act whose duty it shall be, upon payment to him of the fee hereinafter provided for, to forthwith inquire into the competence of such applicant. If such applicant is found to be of sober habits, competent and capable of performing the duties of a pilot or engineer as the case may be, the inspector shall issue to such pilot Pilots and engineers must have license.

Duration of
certificate.

or engineer, a certificate entitling him to act as such pilot or engineer, as the case may be, for five years from the date thereof, unless sooner revoked for good cause by some inspector of the State, with the approval of the Governor.

Inspectors'
fees.

SEC. 5. That said inspector shall be entitled to charge the following fees and require payment thereof in advance: For each sail boat inspected (\$1.00) one dollar; for each steam boat inspected (\$10.00) ten dollars. Provided that steamers with capacity of twenty or less passengers shall be inspected for five dollars, whether the same be licensed or not, and for each application for license as pilot or engineer (\$3.00) three dollars, whether a license be granted or not.

Fees for
license as
pilot.

Inspectors'
report.

SEC. 6. Said inspectors shall report on or before January first of each year, to the Governor of the State, the whole number of licenses, granted by them to pilots and engineers and to whom granted, the total number of sail boats and steam boats inspected by them, also the total amount of fees received by them for such licenses and inspection.

Publication.

SEC. 7. This act being deemed of immediate importance shall take effect from and after its passage and publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 12, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 20, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 108.

MAINTENANCE OF FISH DAMS.

S. F. 424.

AN ACT to Amend Section 1, Chapter 63, Acts of the Twenty First General Assembly, Relative to the Maintenance of Fish Dams Across the Outlets of Meandered Lakes.

Be it enacted by the General Assembly of the State of Iowa:

Chapter 63,
acts 21 G. A.
amended.

SECTION 1. That section 1 of Chapter 63 Acts of the Twenty First General Assembly be amended by inserting after the word "lake" in the second line the words "or chain of lakes."

Publication.

SEC. 2. This Act being deemed of immediate importance shall be in force from and after its publication in Iowa State Register and the Des Moines Leader newspapers published in the City of Des Moines Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 17, and *Des Moines Leader*, April 18, 1888.

FRANK D. JACKSON, *Secretary of State.*

APPROPRIATIONS.

CHAPTER 109.

TRAVELING EXPENSES SUP'T PUBLIC INSTRUCTION.

AN ACT to Amend Title XII, Chapter 1, of the Code Providing for the Traveling Expenses of the Superintendent of Public Instruction. H. F. 380.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. For the expense of traveling required by section 1577, of the code of 1873 the Superintendent of Public Instruction shall receive two hundred and fifty (250) dollars per annum or so much thereof as may be necessary for which warrants shall be drawn on his order by the Auditor of State upon the presentation of a verified statement of expenses incurred for the same. \$250 per annum expenses as per sec. 1577 of code.

SEC. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force after its publication in the *Des Moines Leader* and *Iowa State Register*, newspapers published at Des Moines, Iowa. Publication.

Approved April 9, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 17, and *Des Moines Leader*, April 18, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 110.

GENERAL APPROPRIATION ACT.

AN ACT to Make Appropriations for the Payment of State Officers and Other Bills and State Expenses. H. F. 629.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated out of any money in the State Treasury not otherwise appropriated an amount sufficient to pay the salaries of the various officers whose salaries are now fixed by law, and payable from the State Appropriation to pay salaries of officers now fixed by law.

Treasury, and the Auditor of State shall draw warrants therefor in favor of the officers entitled thereto, in monthly installments when not otherwise provided by law.

Unexpended appropriation to be covered into treasury.

SEC. 2. There is further appropriated from the State Treasury for the term of two years, ending March 31, 1890, the following amounts or so much thereof as shall be necessary, to-wit: provided that on the first day of April succeeding the meeting of the regular session of the General Assembly, all moneys appropriated hereby and remaining unexpended, belonging to the several funds hereinafter mentioned, shall be covered into the State Treasury.

State officers for clerical help.

SEC. 3. The amounts hereinafter named or so much thereof as may be necessary for the use of the several State officers herein designated, to enable them to procure sufficient clerical help.

Auditor, \$12,000.

For the use of the Auditor of State the sum of twelve thousand dollars (\$12000.00)

Treasurer, \$3,000.

For the use of the Treasurer of State the sum of three thousand dollars (\$3000.00)

Secretary of State \$7,000.

For the use of the Secretary of State the sum of seven thousand dollars (\$7000.00)

Superintendent of Pub. Inst. \$4,000.

For the use of the Superintendent of Public Instruction the sum of four thousand dollars (\$4000.00).

Atty. Gen'l \$2000.

For the use of the Attorney General the sum of two thousand dollars (\$2000.00)

Mine Inspectors \$2,000.

For the use of the State Mine Inspectors, the sum of two thousand dollars (\$2,000)

Railroad Commission \$18,000.

For the expenses of the railroad commission the sum of eighteen thousand dollars (\$18000.00):

Vouchers to the Executive Council.

Provided, that each of said State officers and all State officers shall furnish vouchers for the expenditures of the funds appropriated herein, containing the items of such expenditures, to the Executive council who shall audit the same before warrants shall issue therefor, and the executive council shall order the issuance of warrants therefor designating the person to whom such money shall be paid, and each of such officers shall report such payments in detail to the Twenty Third General Assembly.

Contingent expenses executive office \$8,000

SEC. 4. For the contingent expenses of the executive office the sum of eight thousand (\$8,000.00) dollars.

Room rent Governor \$1,200

For the payment of room rent for the Governor the sum of twelve hundred dollars (\$1200.00), and for the expenses of employing additional counsel when necessary under the provisions

Additional counsel \$5,000.

of sections fifty nine (59) and sixty (60) of the code, the sum of five thousand dollars (\$5000.00) of which sum one thousand dollars (\$1,000) shall be paid to M. D. O'Connell for legal services rendered by said O'Connell at the request of the Governor in the prosecution of the Haddock murder cases, and said sum is to be drawn and accounted for in the manner provided for the contingent fund.

M. D. O'Connell \$1,000.

SEC. 5. For the payment of office janitors of the Capitol, Janitors the sum of twenty thousand dollars (\$20000.00) or so much thereof as may be necessary, to be expended under the direction of the executive council. \$20,000.

SEC. 6. For providential contingencies the sum of fifteen thousand dollars (\$15000.00), said amount to be under the control of the executive council; and all payments from said fund shall first receive its unanimous approval. Any expenditures under this section shall be reported in detail by the Auditor of State in his biennial report. Providential contingencies \$15,000.

SEC. 7. For the incidental expenses of the Supreme Court the sum of twenty five hundred dollars, or so much thereof as shall be necessary. All bills for such expenses shall contain all the items thereof, which shall be certified to be correct by the Chief Justice of said Court, before any warrant shall issue therefor. For the purpose of paying for extra clerical help in the office of the clerk of the Supreme Court, the sum of three thousand dollars (\$3000.00) or so much thereof as shall be necessary. Supreme Court incidental \$2,500. Clerical help \$3,000.

SEC. 8. For the purpose of paying the interest becoming due on the indebtedness of the State to the permanent school fund the sum of forty thousand dollars (\$40,000) or so much thereof as may be necessary. The Auditor of State shall draw warrants for the above appropriation as said items of interest shall become due. Interest State debt \$40,000.

SEC. 9. To L. Harbach for speaker's chair, gavels, curtains for senate and house chambers, and looking glass, the sum of three hundred and twenty dollars (\$320). Harbach \$220.

SEC. 10. To pay for Millers and McClains annotated Code furnished members of the General Assembly, and to the president of the Senate, the sum of ten hundred and sixty-eight dollars (\$1,068) for 152 copies, said money to be drawn from the treasury by the Secretary of State on warrants drawn by the Auditor of State upon vouchers duly presented to and approved by the Secretary of State. Codes \$1,068.

SEC. 11. To J. A. T. Hull, Lieutenant-Governor, as president of the Senate, the sum of eleven hundred dollars (\$1,100). President Senate \$1,100.

SEC. 12. To W. H. Redman, as speaker of the house, the sum of five hundred and fifty dollars (\$550,) which sum shall be in addition to his salary as member of the house. Speaker House \$550.

SEC. 13. To J. S. Woolson, as president of the Senate during its temporary organization, the sum of sixteen dollars and fifty cents (\$16.50). Temporary President Senate \$16.50.

SEC. 14. To C. L. Anderson, as speaker of the house during its temporary organization the sum of twenty dollars (\$20.00). Temporary Speaker House \$20.

SEC. 15. To the chaplains of the senate and house the sum of eight hundred dollars (\$800,) warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the Auditor of State, upon the certified statement of the President of the Senate and the Speaker of the House. Chaplains \$800.

- Executive Council \$1,000 each.** SEC. 16. To the members of the executive council, for extra official services for the years 1888 and 1889 the sum of one thousand (\$1,000) each, and warrants therefor shall be issued monthly at the end of each month.
- Temporary post mistress \$20.** SEC. 17. To Sarah Hutchins for services as temporary post mistress during the organization of the General Assembly the sum of twenty dollars (\$20.00)
- Labor Statistics, \$1,000.** SEC. 18. For the use of the commissioner of Labor Statistics the sum of one thousand dollars (\$1,000).
- Secretary Senate and Chief Clerk of House \$600 each.** SEC. 19. To C. H. Brock, Secretary of the Senate, and D. C. Kolp, Chief Clerk of the house, for transcribing and indexing the Journals of their respective houses, superintending the printing and distribution of the same, the sum of six hundred dollars (\$600) each. On [one] half to be paid when a certified copy of the Journal is filed in the office of the Secretary of State, and the balance when the distribution is made as provided for in Chapter 159, laws of the Sixteenth General Assembly. Warrants therefor shall be issued under the direction of the executive council; provided, that no warrants for said services be drawn under section 8 of the above named chapter.
- Executive Council contingent fund, \$1,000.** SEC. 20. For a contingent fund to be used by the executive council in liquidating such expenses as may arise from the acceptance by said council of valuable gifts to the State, in the domain of literature science and art, for exhibition in the Capitol, the sum of one thousand dollars (\$1,000) for the biennial period being five hundred dollars (\$500) per annum. Any unexpended balance at the end of any fiscal year shall be covered into the State treasury.
- Stenographer conference committees \$4.** SEC. 21. To Myrtle Butler for services as stenographer for conference committees the sum of four dollars (\$4.00) and to Dalberg and Clarke for use of type-writer the sum of nine dollars \$9.00.
- Repair Arsenal, \$3,500.** SEC. 22. For repair of the arsenal in Des Moines and improvement of the grounds of the same the sum of three thousand and five hundred dollars (\$3,500). The said amount to be expended under the direction of the executive council.
- Perkins & Gatch, \$10.** SEC. 23. To Perkins & Gatch for glasswater pitchers and tumblers, the sum of ten dollars (\$10.)
- Carter & Hussey, \$18.50.** SEC. 24. To Carter & Hussey for two reams enrolling paper, the sum of eighteen dollars and 50-100 dollars (\$18.50)
- Cheshire Bros., printing, \$20.** SEC. 25. To Cheshire Brothers, for printing, the sum of twenty dollars (\$20).
- W. G. Page, badges, \$5.** SEC. 26. To W. G. Page, for two badges for Senate door-keeper and Sergeant at Arms, the sum of five dollars (\$5.)
- M. W. Lynch, \$1.50.** SEC. 27. To M. W. Lynch, for ink can and tray for General Assembly the sum of one dollar and one half (\$1.50)
- N. Lichty, \$16.05.** SEC. 28. To Norman Lichty, for hair brushes and combs for the House and Senate cloak rooms and wash rooms, the sum of sixteen and 5 100 dollars (\$16.05)

SEC. 29. To the Iowa File Co. for seven hundred covers for Senate and House Files at 35 cents each, the sum of two hundred and forty five dollars (\$245) Iowa File Co., \$245.

SEC. 30. To Bentley & Olmsted, for shoestrings the sum of four and 20-100 dollars (\$4.20) Bentley & O., \$4.20.

SEC. 31. To Miller & Watters, for 200 placards for the House, the sum of twenty dollars (\$20) Miller & W., \$20.

SEC. 32. To F. D. McGrew, for seventy eight days work in preparing and shipping public documents by express, the sum of two hundred and thirty four dollars (\$234.) F. D. McGrew, \$234.

SEC. 33. To B. F. Stoddard for seventy five days work in preparing and shipping public documents by express the sum of two hundred and twenty-five dollars (\$225.) B. F. Stoddard, \$225.

SEC. 34. To J. D. McGarraugh, for paste the sum of twenty five (\$25.) dollars. J. D. McGarraugh, \$25.

SEC. 35. To the State Lithographing and Engraving Co., for diagrams of the Senate and House Judicial and Congressional maps and covers for five thousand "rules" the sum of one hundred and twenty one and 5-100 dollars (\$121.05) State Litho. Co., \$121.05.

SEC. 36. To W. W. Clarke & Co. for stationery, the sum of eighty four dollars (\$84.) Clarke & Co., \$84.00.

SEC. 37. To Carter & Hussey, for stationery the sum of twenty seven and 50-100 dollars (\$27.50) Carter & Hussey, \$27.50.

SEC. 38. To Redhead, Norton Lathrop & Co. stationery, the sum of two hundred and eight and 50-100 dollars (\$208.50) R., N., L. & Co., \$208.50.

SEC. 39. To L. L. Smith, for expenses incurred in the apprehension of one George Eberhart, a fugitive from justice, the sum of one hundred and twenty three and 40-100 dollars (\$123.40) L. L. Smith, \$123.40.

SEC. 40. To P. P. Mudgett, for serving five subpoenas in case of the impeachment of Walter I. Hayes, the sum of four and 45-100 dollars (\$4.45) P. P. Mudgett, \$4.45.

SEC. 41. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa. Publication.

Approved April 11th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 14, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 111.

EXPENSES OF INAUGURATION.

H. F. 352. AN ACT Appropriating Money to Defray the Expenses of the Inauguration Ceremonies.

Be it enacted by the General Assembly of the State of Iowa:

\$226.90 appropriated.

SECTION 1. That there be and hereby is appropriated out of any money in the State treasury not otherwise appropriated the sum of two hundred and twenty six dollars and ninety cents (\$226.90) or so much thereof as may be necessary to pay the expenses incurred on account of the Inauguration ceremonies. Warrants shall be drawn upon the treasury for the sum herein appropriated in favor of the Adjutant General upon the filing of vouchers therefor with the Auditor of State.

Publication.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, Iowa.

Approved March 30, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 3, and *Des Moines Leader* April 4, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 112.

PAYMENT OF EXPENSES COMMITTEES TO VISIT STATE INSTITUTIONS.

H. F. 526. AN ACT to Provide for the Payment of the Expenses of the Committees Appointed to Visit the State Institutions.

Be it enacted by the General Assembly of the State of Iowa:

Appropriation.

SECTION 1. That there be and hereby is appropriated out of any money in the State Treasury not otherwise appropriated the following sums of money to the persons and for the purposes herein named.

State University.

SEC. 2. To N. V. Brower twenty two dollars, to J. F. Thompson, twenty four dollars and eighty five cents and to Jas. A. Smith, twenty two dollars and ten cents for expenses incurred in visiting the State University at Iowa City.

SEC. 3. To B. R. Vale, D. Nicoll and L. D. Hotchkiss the sum of five dollars each for expenses incurred in visiting Agricultural College at Ames.

SEC. 4. To J. S. Lawrence, fourteen dollars and twenty cents and to S. E. Field and C. G. Hipwell the sum of nineteen dollars and ten cents each for expenses incurred in visiting Institution for Deaf and Dumb.

SEC. 5. To W. D. Mills, Oliver Horton and H. L. Byers, the sum of twenty two dollars and forty cents each for expenses incurred in visiting the college for the blind at Vinton.

SEC. 6. To J. H. Sweney twenty two dollars and eighty five cents and to W. W. Buell the sum of twenty five dollars for expenses incurred in visiting Soldiers' Orphans' Home and Home for Indigent children, Davenport.

SEC. 7. To T. J. Caldwell, W. M. McFarland and P. Deitz, the sum of twenty dollars each for expenses incurred in visiting Hospital for Insane at Mt. Pleasant.

SEC. 8. To T. D. Bayless, Samuel W. Jones and Augustus Anderson the sum of twenty six dollars and fifty cents each for expenses incurred in visiting Hospital for Insane at Clarinda.

SEC. 9. To D. B. Davidson, E. W. Wilbur and J. C. Beem the sum of twelve dollars each for expenses incurred in visiting Normal School at Cedar Falls.

SEC. 10. To A. B. Funk, thirty dollars, to J. R. Burgess and Edgar L. Hobbs the sum of twenty five dollars each for expenses incurred in visiting the Penitentiary at Ft. Madison.

SEC. 11. To Ben McCoy, G. L. Dobson and John T. Hamilton the sum of fourteen dollars each for expenses incurred in visiting the Penitentiary at Anamosa.

SEC. 12. To J. D. McVay twenty one dollars and seventy cents and to G. D. Darnall and W. H. Robb the sum of fifteen dollars each for expenses incurred in visiting the Institution for Feeble Minded Children at Glenwood.

SEC. 13. To L. S. Hanchett, James E. Blythe and I. S. Hunter, the sum of thirty three dollars and thirty five cents each for expenses incurred in visiting the Fish Hatching House at Spirit Lake.

SEC. 14. To Thomas Weidman, seventeen dollars and ninety five cents, to John E. Craig twenty three dollars and eighty six cents and to John Homrighaus the sum of eighteen dollars and sixty two cents for expenses incurred in visiting Industrial School for boys at Eldora.

SEC. 15. To Richard Price W. A. Davie and A. D. Clarke the sum of two dollars and ninety five cents each for expenses incurred in visiting the Industrial School for Girls at Mitchellville.

SEC. 16. To Lafe Young the sum of eleven dollars and eighty cents and to A. J. Chantry and Ed. C. Russell the sum of nine dollars and ninety cents each for expenses incurred in visiting the Soldiers' Home at Marshalltown.

	otherwise appropriated, the following sums, for the following purposes, to-wit:
Boiler and boiler house, \$20,000.	For five new boilers, boiler house, engine room, coal house and wash house, the sum of twenty thousand dollars (\$20,000).
Industrial building, \$8,000.	For industrial building for female patients, the sum of eight thousand dollars (\$8,000).
Kitchen \$5,000.	For enlarging and furnishing kitchen, five thousand dollars (\$5,000.)
Land, \$15,000.	For two hundred and forty acres of land, the sum of fifteen thousand dollars (\$15,000).
Repair fund, \$3,500 per annum.	For repairs, improvements, and contingent fund, the sum of \$3,500 per annum, for two years.
How drawn.	SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said Hospital at such times as they may deem necessary; <i>provided</i> , that not more than one half thereof shall be drawn during 1888, and the balance in two equal installments, the first on or after April 1, 1889, and the second on or after July 1, 1889.
Publication.	SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Approved April 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 20, and *Des Moines Leader* April 18, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 116.

APPROPRIATIONS—HOSPITAL FOR INSANE AT INDEPENDENCE.

S. F. 96. AN ACT Making an Appropriation for the Hospital for the Insane at Independence.

Be it enacted by the General Assembly of the State of Iowa:

Appropriation.	SECTION 1. That there is hereby appropriated for the Iowa Hospital for the Insane at Independence, out of any money in the State treasury, not otherwise appropriated, the following sums for the following purposes, to-wit:
Improvem'ts \$5,000.	For finishing rear center building, to increase the size of kitchen, make room for a new bakery, supply both with machinery, provide more room and furniture for domestics, five thousand dollars, (\$5,000).
Water main \$10,000.	For a six-inch, cast iron water main to connect the Hospital with the water works of the City of Independence, ten thousand dollars (\$10,000).

CHAPTER 114.

APPROPRIATIONS—HOSPITAL FOR INSANE AT CLARINDA.

AN ACT Making Appropriations for the Hospital for the Insane at H. F. 626.
Clarinda.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the Hos- Appropriation.
pital for the Insane at Clarinda out of any money in the State
Treasury, not otherwise appropriated the following sums for
the following purposes, to-wit:

Item first. For kitchen department, corridors con- necting with the administration building, boiler and laundry machinery, electric light plant, sew- erage, pumping works, and completion of present buildings,	\$ 82,000	Kitchen, etc.
Item second. For furnishing Hospital and equip- ments of farm	\$ 20,000	Hospital and farm.
Total	\$102,000	

SEC. 2. That the money hereby appropriated shall be drawn Money, how
and paid upon the order of the Trustees of said Hospital at drawn.
such time as they shall deem necessary.

SEC. 3. This act shall take effect and be in force from and Publication.
after its publication in the Iowa State Register and the Des
Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa
State Register April 19, and Des Moines Leader April 18, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 115.

APPROPRIATIONS—HOSPITAL FOR INSANE AT MT. PLEASANT.

AN ACT Making Appropriations for the Hospital for the Insane at S. F. 43.
Mt. Pleasant.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the hos- Appropriation.
pital for the insane, at Mt. Pleasant, out of any money not

Boilers \$500.	5 "	For new tubes and repairs on boilers, five hundred dollars.
Chaplain \$250.	6 "	For chaplain fund, \$250.
Library \$500.	7 "	For library, five hundred dollars.
Pump \$350.	8 "	For new steam pump, three hundred and fifty dollars.
How Drawn and paid.	SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said Industrial School at such times as they may deem necessary: <i>provided</i> , that not more than one half thereof shall be drawn during 1888, and the balance in two equal installments, the first on or after April 1, 1889, and the second on or after July 1, 1889.	

Publication. SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 11th, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 19, and Des Moines Leader April 20, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 118.

APPROPRIATIONS—IOWA INDUSTRIAL SCHOOL, GIRLS' DEPARTMENT.

H. F. 443. AN ACT Making Appropriations for the Iowa Industrial School, Girls Department, at Mitchelville.

Be it enacted by the General Assembly of the State of Iowa:

Appropriation. SECTION 1. That there is hereby appropriated for the Iowa Industrial School, Girls Department, at Mitchelville, out of any money in the State Treasury not otherwise appropriated the following sums for the following purposes, to-wit:

Items and amounts.	Item First.	For addition to cow stable	\$ 600.
	Item Second.	For laundry, hospital and water tower, and laundry machinery and bath house	\$ 9,000.
	Item Third.	For electric light and boiler	\$ 2,500.
	Item Fourth.	For contingent and repair fund	\$ 3,500.
	Item Fifth.	For team of horses wagon and harness	\$,400.
	Item Sixth.	For furniture and carpets	\$,250.
	Item Seventh.	For library and school books	\$,500.
	Item Eighth.	For fences and drainage	\$,400.
	Item Ninth.	For chaplain fund	\$,250.
Total			\$17,250.

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said school, at such times as they may deem necessary; provided that not more than one half thereof shall be drawn during 1888, and the balance in two equal installments, the first on or after April 1, 1889, and the second on or after July 1, 1889. How drawn.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, April 19, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 119.

APPROPRIATIONS—FEEBLE MINDED CHILDREN.

AN ACT Making Appropriations for the Institution for Feeble S. F. 124.
Minded Children.

Be it enacted by the General Assembly of the State of Iowa :

SECTION 1. That there is hereby appropriated for the institution for Feeble Minded Children the following sums for the purposes herein mentioned: For completing and furnishing central building, \$16,000. For new engine and boiler house, smoke stack, two new boilers, increased laundry facilities, repairing and resetting old boilers and connecting steam heating with central building, \$15,000. For purchasing nineteen acres of ground now owned by H. Hinxson, including buildings for stock and a slaughter house, two thousand dollars (\$2,000). For cisterns six hundred dollars (\$600). For orchard and small fruits, three hundred dollars (\$300). For repair and contingent fund three thousand dollars (\$3,000). For fire escapes and hydrants, fifteen hundred dollars (\$1,500). For beds and bedding twelve hundred dollars (\$1,200). For vegetable cellar four hundred dollars (\$400). For Hospital and increased Hospital facilities (\$4,000). Appropriation.
Items and
amounts.

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said institution at such times as they may deem necessary, provided, that not more than one half thereof shall be drawn during 1888, and the balance in two equal installments the first on or after April 1, 1889, and the second on or after July 1, 1889. Money, how
drawn.

Publication. SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 19, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 120.

APPROPRIATIONS—SOLDIERS' HOME AT MARSHALLTOWN.

S. F. 265. AN ACT Making Appropriations for the Soldiers' Home at Marshalltown, Iowa.

Be it enacted by the General Assembly of the State of Iowa:

Appropriation.

SECTION 1. That there is hereby appropriated out of any money in the treasury not otherwise appropriated for the Soldiers' Home at Marshalltown, Iowa, the following sums for the purposes herein mentioned, to-wit:

Items and the amounts.

For additional buildings for quartermaster's office, store rooms and for sleeping rooms for employees the sum of \$4,000

For barn, horses, cows and farming implements 3,000

For coal house 300

For beds, bedding and clothing for two hundred (200) more inmates than now provided for 2,750

And that for the purpose of improving the grounds, there is appropriated the sum of 2,200

Improvement of grounds.

and for the further improvement of the grounds the Trustees are directed to use the unexpended balance of the Marshalltown cash contribution now in the hands of the Treasurer of the Home.

Manner of drawing the money.

SEC. 2. The money herein appropriated shall be drawn out on the order of the commissioners of said Home at such times as may be deemed necessary by them, *provided* that any money remaining unexpended after completion of the improvement for which the same is herein appropriated may be used as far as necessary for any of the purposes specified in this act, subject to the approval of the Governor.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers

published at Des Moines, Iowa, and the Times-Republican, a newspaper published at Marshalltown, Iowa.

Approved April 11th. 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 20, and *Des Moines Leader* April 19, and *Times-Republican* April 18, 1888

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 121.

SUPPORT OF SOLDIERS' HOME AT MARSHALLTOWN.

AN ACT for the Support of the Soldiers' Home at Marshalltown S. F. 286.
Iowa.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. There is hereby appropriated out of any money \$6,000 appropriated in the treasury the sum of six thousand (6000) dollars per annum for the salary and wages of the officers and employees of said Home.

SEC. 2. For the general support of the inmates of said Home there is hereby appropriated the sum of ten dollars per month, or so much thereof as may be necessary to each inmate in said Home to be estimated by the average number for the preceding quarter.

SEC. 3. The above mentioned appropriation to be drawn monthly on the requisition of the Board of Commissioners of the Home in the usual manner and then only in such amounts as the wants of the Home may require.

SEC. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Iowa State Register* and the *Des Moines Leader*, newspapers published in Des Moines Iowa.

Approved April 11th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 20, and *Des Moines Leader*, April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 122.

APPROPRIATION FOR SOLDIERS' ORPHANS' HOME, DAVENPORT.

H. F. 127 AN ACT Making an Appropriation for a Temporary Dining Hall and Kitchen, and for the Purchase of Supplies for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa, and to Transfer Insurance Money from Trustees to the Treasury of the State.

Be it enacted by the General Assembly of the State of Iowa:

Dining hall,
kitchen and
supplies,
\$7,536.24.

SECTION 1. That there is hereby appropriated for the Soldiers Orphans' Home and Home for Indigent Children, at Davenport, Iowa, out of any money in the State Treasury, not otherwise appropriated, the following sum for the following purposes: For the construction of a temporary dining hall and kitchen and for the purchase of supplies, the sum of seven thousand five hundred and thirty-six and 24-100 dollars. (\$7536 24 100).

Money, how
drawn and
paid.

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said Home.

Insurance
money trans-
ferred to state
treasury.

SEC. 3. The money received by the trustees of the Soldiers' Orphans' Home and Home for Indigent Children, from insurance companies and derived from certain policies of insurance upon the central building destroyed by fire, is hereby transferred to the treasury of the State for general purposes.

Publication.

SEC. 4. This act, being deemed of immediate importance, shall take effect and be in force, from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved February 4, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader*, February 7, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 123.

APPROPRIATIONS—SOLDIERS' ORPHANS' HOME.

AN ACT to Appropriate Funds to Furnish Buildings, and Make s. f. 152.
Improvements for the Soldiers' Orphans' Home, and Home for
Indigent Children, at Davenport, Iowa.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the Sol- Appropriation.
diers' Orphans' Home, and Home for Indigent Children, at Day-
enport, Iowa, the following sums for the purpose designated,
to-wit:

For enlarging kitchen, and pantry	\$ 2,500	Items and
Two cottages	6,000	amounts.
For school building	6,000	
For boiler and steam heating	3,500	
For ice house	1,000	
For general repairs and contingent fund	2,500	
For grading and fencing	300	
For furniture	2,000	
For library	500	

SEC. 2. The money herein appropriated shall be drawn and Money, how
paid on the order of the trustees of said Home, at such times as drawn and
they may deem necessary; *provided*, that not more than one paid.
half thereof shall be drawn during 1888, and the balance in
two equal installments, the first on or after April 1, 1889, and
the second on or after July 1, 1889.

SEC. 3. This act being deemed of immediate importance Publication.
shall take effect and be in force from and after its publication
in the Iowa State Register and Des Moines Leader, newspapers
published in Des Moines, Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa
State Register and Des Moines Leader April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 124.

APPROPRIATIONS—STATE NORMAL SCHOOL.

H. F. 141. AN ACT making Appropriations for the State Normal School at Cedar Falls.

Be it enacted by the General Assembly of the State of Iowa:

Appropriations.

SECTION 1. That there is hereby appropriated for the State Normal School at Cedar Falls out of any money in the State Treasury not otherwise appropriated the following sums for the following purposes, to-wit:

Items and amounts.

Item First.	For Teachers fund	\$23,000
Item Second.	For a regular contingent fund,	\$ 2,300
Item Third.	For library and chemical apparatus	\$ 1,000
Item Fourth.	For a new piano	\$ 400
Item Fifth.	For repairs to steam heating apparatus,	\$ 500
Item Sixth.	For repairs of old building, including new roof, new portico, and repair of walls,	\$ 2,000
Item Seventh.	For sewerage and ventilation,	\$ 1,000

Total	\$30,200
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How drawn and paid.

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said School, at such times as they may deem necessary; *provided*, that not more than one half thereof shall be drawn during 1888, and the balance in two equal installments the first on or after April 1, 1889, and the second on or after July 1, 1889.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 20, and *Des Moines Leader* April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 125.

APPROPRIATIONS—WATER SUPPLY FOR NORMAL SCHOOL.

AN ACT making an appropriation for the Purpose of Procuring a H. F. 587.
Water Supply for the Normal School at Cedar Falls.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The Board of Directors of the Iowa State Normal School are hereby authorized to enter into a contract with the City of Cedar Falls for the supply of a sufficient amount of water for the use of the school at rates not to exceed ten cents per thousand gallons. The Board is also hereby authorized to lay all necessary pipes to conduct the water to the building and to put in all necessary pipes, basins and closets and purchase hose for the protection of the building against fire, and to provide for the domestic use of the water. Directors to contract for water supply.

SEC. 2. There is hereby appropriated for the purposes herein set forth the sum of seven thousand one hundred dollars or so much thereof as may be necessary. \$7,100 appropriated.

SEC. 3. No contract shall be so made until the same shall be submitted to the Governor and receive his approval. Any surplus remaining in the fund herein appropriated, and any surplus remaining in the sewerage and ventilation fund appropriated by law for such institution may be used by the trustees in the payment of water rates. Contract to be submitted to the Governor.

SEC. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines Iowa. Publication.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 20, and Des Moines Leader April 19, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 126.

APPROPRIATION FOR AGRICULTURAL COLLEGE.

H. F. 346. AN ACT making Appropriations for the State Agricultural College.

Be it enacted by the General Assembly of the State of Iowa:

Appropriation.

SECTION 1. That there is hereby appropriated for the Iowa State Agricultural College out of any money in the State Treasury not otherwise appropriated, the following sums for the following purposes, to-wit:

Items and amounts.

Item First. For removing privies and water closets from main building and placing the same in outside towers 3,500

Item Second. For water supply for college hospital and professors' houses on college grounds 1,000

Item Third. For repairing boiler and machinery in electric light and mechanical departments 500

Item Fourth. For line shafting in shops and for repairing and improvement of college buildings the sum of one thousand dollars annually, which sum shall be in addition to the present annual appropriation of one thousand dollars, the first payment to be made in May, 1888, and the same sum annually thereafter 2,000

Total 7,000

How drawn and paid.

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said college, at such times as they may deem necessary; provided, that not more than one half thereof shall be drawn during 1888.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 9, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 17, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 127.

APPROPRIATIONS—PERMANENT IMPROVEMENTS STATE FAIR
GROUNDS.

AN ACT making an Appropriation to the Iowa State Agricultural Society, for making Permanent Improvements on the State Fair Grounds. S. F. 427.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the sum of Nine Thousand Five Hundred dollars or so much thereof as may be necessary be and the same is appropriated hereby, out of any money in the State Treasury not otherwise appropriated to the Iowa State Agricultural Society for the purpose of making permanent and necessary improvements upon the State Fair Grounds. ^{\$9500 appropriated.}

Provided that not more than Five Thousand dollars of said sum be drawn from the Treasury on or before Dec 25th 1888, and Four Thousand Five Hundred dollars of said sum, the remainder thereof, on or after May 1, 1889. ^{\$5000 may be drawn 1888. \$4500 in 1889.}

SEC. 2. The money hereby appropriated shall be paid by the State Treasurer upon Warrants of the Auditor of State, which shall be issued upon the requisition of the Iowa State Agricultural Society signed by the President and Secretary of said society. ^{How paid.}

SEC. 3. This act shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader—newspapers published at Des Moines Iowa. ^{Publication.}

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 20, and the Des Moines Leader April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 128.

APPROPRIATIONS—COLLEGE FOR THE BLIND.

AN ACT making Appropriations for the College for the Blind at Vinton. H. F. 53.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the college for the blind at Vinton out of any money in the State Treasury ^{Appropriation.}

not otherwise appropriated the following sums for the following purposes, to-wit:

Items and
amounts.

Item First. For a new roof, galvanized iron cornice, gutters, etc.,	\$9,834.80
Item Second. For new front steps and foundation for same;	\$ 500 00
Item Third. For painting	\$1,000.00
Item Fourth. For Washing Machine	\$ 500 00
Item Fifth. For additions to library and school apparatus	\$1,000.00
Item Sixth. For bedding and furniture	\$1,200 00
Item Seventh. For contingent and general repairs	\$3,000.00

Total \$17,034.80

How drawn.

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said college at such times as they may deem necessary; provided that, excepting the first item herein stated, not more than one half of said amounts shall be drawn during the year 1888, and the balance in two equal installments, the first on or after April 1st 1889, and the second on or after the first day of July, 1889.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 129.

APPROPRIATIONS—PENITENTIARY AT ANAMOSA.

S. F. 298.

AN ACT to appropriate Funds to Carry on the Work at the Penitentiary at Anamosa and for Other Purposes Connected Therewith.

Be it enacted by the General Assembly of the State of Iowa:

Appropriation.

SECTION 1. That there be and is hereby appropriated out of any funds in the State treasury not otherwise appropriated, for the penitentiary at Anamosa, or so much thereof as is necessary for the purposes herein set forth:

Items and
amounts.

For the completion of the work on the building for the criminal insane	\$ 15,000
For protection of female building	\$ 2,000

For temporary bath house	\$ 1,000
For furnishing Warden's house	\$ 200
For transportation of convicts	\$ 1,200
For repair and contingent fund	\$ 3,000

SEC. 2. The money herein appropriated shall be drawn and paid on the order of the warden of said penitentiary at such times as he may deem necessary; provided that, excepting the first item, not more than one half thereof shall be drawn during 1888, and the balance in two equal installments, the first on or after April 1, 1889 and the second on or after July 1, 1889. How drawn and paid.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 19, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 130.

APPROPRIATION, PENITENTIARY AT FT. MADISON.

AN ACT Making Appropriations for the Penitentiary at Ft. Madison Iowa. S. F. 123.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the Penitentiary at Fort Madison out of any funds not otherwise appropriated the following sums for the purposes named; to-wit: Appropriation.

For transportation of convicts	\$ 2,000.00	Items and amounts.
For contingent fund and repairs	\$ 7,500.00	
For new range, stew kettles and fixtures	\$,800 00	
For furniture and carpets	\$,200.00	

\$10,500.00

SEC. 2. Not more than one half of the amount herein named shall be paid during the year 1888 and the remainder quarterly during 1889, same to be drawn by the warden of said Penitentiary. How paid.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspaper published in Des Moines, Iowa. Publication.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 18, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 131.

APPROPRIATIONS—INSTITUTION FOR THE DEAF AND DUMB.

S. F. 138. AN ACT Making Appropriations for the Institution for the Deaf and Dumb at Council Bluffs.

Be it enacted by the General Assembly of the State of Iowa:

Appropriation. SECTION 1. That there is hereby appropriated out of any moneys in the treasury not otherwise appropriated for the Institution for the Deaf and Dumb, the following sums for the purposes herein mentioned, to-wit:

Items and amounts.	For fire plugs, hose, and fire extinguishers	\$ 300
	For enlargement of Industrial School buildings, and providing for necessary tools and machinery	7,500
	For cows and barn	800
	For electric light and new boilers	8,000
	For elevators	800
	For library	400

How drawn and paid. SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said Institution at such times as they may deem necessary: *provided*, that not more than one half thereof shall be drawn during 1888, and the balance in two equal installments, the first on or after April 1, 1889, and the second on or after July 1, 1889.

Publication. SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 20, 1888, and *Des Moines Leader*, April 18, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 182.

APPROPRIATIONS--BETTER SUPPORT, STATE UNIVERSITY.

AN ACT for an Appropriation for the Better Support of the State University in the Several Departments, and Chairs, and in Aid of of the Income Fund, and for the Development of the Institution. S. F. 110.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. There be and is hereby appropriated out of any money in the State Treasury not otherwise appropriated, in support of the State University in the several departments and in aid of the income fund, and for the development of the institution the sum of twenty thousand dollars annually, for the biennial period ending June 30, 1890. Income fund,¹
\$20,000 annually.

SEC. 2. To supplement endowment fund from June 30, 1888 to June 30, 1890:

For aid to the chair of engineering, one thousand dollars. Endowment fund, \$12,000.

For repairs and contingent fund, eighty five hundred dollars.

For chemical and physical apparatus two thousand, five hundred dollars.

SEC. 3. The money herein appropriated shall be drawn and paid on the order of the board of Regents of said University at such time as they may deem necessary: *provided*, that the same shall be drawn in four equal installments as follows, one quarter on or after September 1st 1888, the second quarter on or after February 1st 1889, the third quarter on or after August 1st 1889, and the last quarter on or after January 1, 1890. How drawn and paid.

SEC. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, April 20, 1888

FRANK D. JACKSON, Secretary of State.

CHAPTER 133.

APPROPRIATIONS—STATE LIBRARY.

H. F. 528. AN ACT Making Appropriations for the State Library.

Be it enacted by the General Assembly of the State of Iowa:

Appropriation. SECTION 1. That there is hereby appropriated for the State Library out of any money in the State Treasury not otherwise appropriated the following sums for the following purposes, to-wit :

Items and amounts.	Item first. For matting for the first floor and first gallery,	\$	450
	Item second. For tin rollers for maps,	\$	100
	Item third. For Book elevators,	\$	100
	Item fourth. For five additional tables for the rooms for the galleries,	\$	50
	Item fifth. Five hundred dollars annually, beginning January 1st, 1888. To be expended by the Board of Trustees of the Library in re-binding the old books as needed and for binding periodicals and pamphlets,	\$	1,000
	Total,	\$	1,700

How drawn and paid. SEC. 2. The money herein appropriated shall be drawn and paid on the order of the trustees of said Library, at such times as they may deem necessary.

Publication. SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 20, and *Des Moines Leader* April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 134.

APPROPRIATION FOR STATE FISH COMMISSION.

AN ACT Making an Appropriation for the State Fish Commission. S. F. 233.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That for the purpose of maintaining the State Fish Commission for the ensuing biennial period there is hereby appropriated out of any funds not otherwise appropriated the sum of three thousand Dollars Provided that said fund be under the control of and audited by the Executive Council. \$2,000 appropriated.

SEC. 2. This act being deemed of immediate importance shall be in effect from and after publication in the Iowa State Register and the Des Moines Leader newspapers published at Des Moines Iowa. Publication.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 18, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 135.

TO REIMBURSE THE SIXTH IOWA INFANTRY.

AN ACT to Reimburse the Sixth Iowa Infantry.

H. F. 238.

WHEREAS, The 6th Regiment, Iowa Inf'ty Vol. during the war of the Rebellion, 1861-65, did accumulate a Regimental Fund of \$872.50 by and through such means that said fund belonged to the men of the regiment; and, \$872 50 regimental fund accumulated.

WHEREAS, Said fund was by the treasurer of the regiment paid over to the "State Orphan's Asylum" without warrant or authority; and, Unauthorized payment.

WHEREAS, Said regiment now has a permanant and legal society organization with duly constituted officers, therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there be and hereby is appropriated out of any money in the state treasury not otherwise appropriated, the sum of eight hundred and seventy two and 50-100 dollars for the purpose of refunding to said regiment said sum: provided Appropriation to refund.

that the same shall not be paid until satisfactory evidence has been furnished to the executive council, that said regimental organization is duly incorporated.

Auditor to issue warrant.

SEC. 2. The Auditor of State is hereby authorized and directed to issue a warrant upon the State Treasury for said sum of money, payable to the treasurer of the Sixth Iowa Infantry Veteran Association.

Publication.

SEC. 3. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Daily Iowa Capital, newspapers published at Des Moines, Iowa.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Daily Iowa Capital April 5, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 136.

APPROPRIATION TO FINISH THE CAPITAL.

H. F. 631. AN ACT to make Appropriations for Finishing the Capital and with Reference to a Soldiers Monument.

Be it enacted by the General Assembly of the State of Iowa:

\$17,000 appropriation.

SECTION 1. That there is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of seventeen thousand dollars for the purpose of putting up the steps, pointing the walls, finishing under the steps, and finishing the outside of the capital building.

\$5,000 appropriated for foundation of monument.

SEC. 2. There is further appropriated the sum of five thousand dollars or so much thereof as may be necessary, to be expended under the direction of the Executive Council, in preparing a site and foundation on the Capitol grounds for the erection of a monument for the purpose of perpetuating an expression, on the part of the people of the State of Iowa, of their appreciation of the patriotism, courage and distinguished soldierly bearing of their fellow citizens, as manifested during the recent war of the rebellion. And the Governor of the State, James Harlan, Samuel J. Kirkwood, George G. Wright, Edward Johnston and D. N. Richardson are hereby appointed a commission with authority to advertise for, and examine plans for such monument, and to report to the next General Assembly upon the plans submitted.

Commission.

Publication.

SEC. 3. This Act being deemed of immediate importance shall take effect and be in force from and after its publication

in the Iowa State Register and Des Moines Leader newspapers published at Des Moines Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 18, and *Des Moines Leader*, April 17, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 137.

APPROPRIATION TO HELP DISCHARGED CONVICTS.

AN ACT Making an Appropriation to Help Discharged Convicts to H F. 624.
an Honest Life.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of fifteen hundred dollars, one half of which is to be placed in the hands of each of the wardens of the penitentiaries of this state, and by them to be paid out to the Iowa Prisoners Aid Association on the order of its President and Secretary, to be used to help discharged prisoners to an honest life. The wardens shall keep vouchers for the payment of the same: provided, however, that not more than half of the amount herein appropriated shall be drawn during the year 1888, and the balance in two equal installments, the first on or after April 1st, 1889, and the second on or after July 1st, 1889.

Approved April 16th, 1888.

CHAPTER 138.

APPROPRIATION FOR BENEDICT HOME.

AN ACT Making Appropriations for Benedict Home.

H. F. 304.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there is hereby appropriated for the support of Benedict Home at Des Moines out of any money in the State Treasury not otherwise appropriated the sum of four thousand dollars, to be expended as directed by the Executive Council.

Approved April 16th, 1888.

CHAPTER 139.

FOR RELIEF OF JOHN HAIDIEN.

H. F. 289. AN ACT For the Relief of John Haidien of Webster County, Iowa and Authorizing the Payment of his Claim Against the State of Iowa.

Description of lands purchased of State. WHEREAS, On the 16th day of May, 1864, John Haidien, of the county of Webster, State of Iowa, purchased of said State of Iowa, the following described land, situated in said county and State, to-wit: The West $\frac{1}{2}$ of the S. W. $\frac{1}{4}$ of section 11 in township 86, north of range 27, west 5th P. M., being a part of the 500,000 acres of school lands granted to said state by the general government by act of Congress, the same sold as aforesaid, containing 80 acres; and,

\$160 paid. WHEREAS, The said John Haidien at said time paid said state the sum of \$160.00 in cash, being the amount of purchase money in full for the same; and,

WHEREAS, The said State of Iowa had not at said time any title to said land, nor has it since acquired title thereto,

WHEREAS, Said John Haidien has received no consideration for the money paid by him as aforesaid; therefore

Be it enacted by the General Assembly of the State of Iowa:

\$389.40 appropriated to pay John Haidien. SECTION 1. That there be and is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of \$389.40 and the Auditor of State is hereby authorized to draw a warrant for said sum, upon the claimant John Haidien filing his affidavit with the Auditor of State that he has never by refund received compensation for purchase money paid by him, and the Treasurer of State is authorized to pay the same as herein provided, which sum shall be in full payment of said money paid as aforesaid by said John Haidien and in full satisfaction for his said claim.

Approved April 3rd, 1888.

LEGALIZING ACTS.

CHAPTER 140.

LEGALIZING ACTS OF JOHN WEIGHTON, RECORDER.

AN ACT to Legalize the Acts of John Weighton while acting in the H. F. 80.
Capacity of Recorder of the Incorporated Town of Audubon,
Iowa.

WHEREAS, The said John Weighton has performed sundry acts and duties as Town Recorder of the Incorporated Town of Audubon; Iowa, while he was not a citizen of the State of Iowa, and the legality of said acts having been questioned.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all acts of John Weighton purporting to Legalized.
have been done by him, as such recorder are hereby legalized
and made of the same force and effect as though he had been a
citizen of the State of Iowa when said acts were performed.

SEC. 2. This act being deemed of immediate importance Publication.
shall take effect from and after its publication in the Iowa
State Register, a paper published at Des Moines, Iowa and
Audubon County Republican, a newspaper published at Audu-
bon in Audubon County, Iowa, without expense to the State of
Iowa.

Approved Feb. 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa
State Register* March 24, and the *Audubon County Republican* February
16, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 141.

LEGALIZE ORGANIZATION OF TOWNSHIP OF LOGAN.

AN ACT to Legalize the Organization of the Township of Logan in H. F. 401.
Sioux County, State of Iowa, and the Election and Acts of its
Officers.

WHEREAS, The board of supervisors of Sioux county, Iowa, at Preamble.
their regular meeting in January, 1887, did order the congres-

sional township 94, range 48, in said county and state, set off to be organized into a separate civil township, to be known and called by the name of Logan township, and said board of supervisors did, at their regular meeting in September, 1887, order the first election in said township should be held at the school-house in the town of Hawarden in said township, and

Change of
voting place.

WHEREAS, The clerks and judges of said first election, Tuesday, the eighth day of November, A. D. 1887, did, prior to the opening of the polls of said election, adjourn from the school-house aforesaid to the office of one L. D. Hobson in said town, being more centrally and conveniently located, and did post upon the door of said school-house a notice of the polling place of said election, thereby debarring no one from voting, and

WHEREAS, Prior to the organization of the said Logan township, all of the territory of townships 94 and 95, range 48, were included in and comprised the independent school district of Calliope, causing doubts to arise as to the legally organized district township of Logan, through and by the acts of the board of supervisors and the organization of said civil township, now therefore

Be it enacted by the General Assembly of the State of Iowa:

Legalization.

SECTION 1. That the civil township of Logan, in Sioux county State of Iowa, and the election and acts of its officers, and the organization of the same as a district township as by law provided in the organization of new civil townships, are hereby legalized and the same are made valid and binding as though the said township had been strictly and legally organized where no independent district organization existed.

Publication.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Hawarden Commercial and Iowa State Register, newspapers published in Hawarden and Des Moines, Iowa, without expense to the state.

Approved March 12, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 12, and *Hawarden Commercial* March 15, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 142.

LEGALIZING INCORPORATION TOWN OF HAWARDEN.

AN ACT To Legalize the Incorporation of the Town of Hawarden, H. F. 402.
in Sioux county, Iowa, and the Acts of the Officers thereof.

WHEREAS, Certain questions and doubts have arisen in relation to the legality of the incorporation of the town of Hawarden, in Sioux county, Iowa and the legality of the ordinances enacted and as to the boundary established being full enough to make the same legal beyond doubt, and, Preamble.

WHEREAS, Other doubts have arisen from the facts that two of the five commissioners, J. T. Vanorman and G. F. Hunter, appointed by the district court of Sioux county, Iowa, to hold an election on the 18th day of March, 1887, for the election of officers for said town of Hawarden, did not officiate as commissioners at said election, and the vacancy was filled by substitution by the other acting commissioners, and there are other irregularities in the said organization Doubts as to legality.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the incorporation of the said town of Hawarden in Sioux county, Iowa, be and the same is hereby declared to be duly and legally established, and that the boundary lines of the territory as described in the original petition for said incorporation and the order of the district court of Sioux county, Iowa, wherein the said land was platted, marked out and described, is hereby declared to be valid and legal the same as though the boundary thereof had been more fully and completely named and the official acts of said council and officers, including the ordinances of said town, are hereby legalized and all of the same shall be held and decreed valid and effectual to the same extent and force as if the same had fully conformed to the law when made. Incorporation legalized.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Hawarden Commercial and Iowa State Register, newspapers published in Hawarden and Des Moines, Iowa, without expense to the State. Publication.

Approved Moh. 12th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 13, and *Hawarden Commercial* March 15, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 143.

LEGALIZING PROCEEDINGS OF CITY COUNCIL OF COUNCIL BLUFFS.

H. F. 514.

AN ACT to legalize the acts, ordinances, and proceedings of the city council of the city of Council Bluffs in the condemnation of the lands and lots embraced in the public park known as Fairmount Park.

Preamble.

WHEREAS, The city of Council Bluffs on or about the 24th day of September 1879, while it was a city acting under special charter, proceeded to condemn a certain eighty acre tract of land, situate in the county of Pottawattamie and State of Iowa, to-wit; The Northwest quarter of the Southwest quarter, Section Thirty-one (31) Township Seventy-five (75) North, Range Forty-three (43) west and the Northeast quarter of the South-east quarter of Section Thirty-six (36), Township Seventy-five (75) North, Range Forty-four (44) west and which said tract of land was on or about the 11th day of September, 1857, duly laid out, platted and surveyed by E. S. Williams the owner thereof, into blocks, lots, streets, and alleys in manner and form as required by statute as Williams' 2nd Addition to the city of Council Bluffs, Iowa. And the said city of Council Bluffs at the same time, caused to be condemned a portion of Snow and Green's addition to said city, to be used for public park purposes in connection with said Williams' 2nd Addition, and said city having caused notice to be served upon the owners of the lots and blocks in said additions by publication as to non-residents, and personal service of notice on all resident owners as is provided by statute for service of original notices requesting the sheriff to empanel a jury to estimate and award the damages the owners of the lots would sustain by the appropriation of their property for said park purposes, and said jury being empaneled in pursuance thereof and their award being duly made and returned and reported by the sheriff of Pottawattamie county, Iowa to the city council and said city having deposited with said sheriff the amount of said awards of damages each owner would sustain as aforesaid, and said city having at once taken possession of said real estate for park purposes, and having now the possession thereof, and having expended large sums of money in improving and ornamenting said lands for park purposes; and

Preamble continued.

WHEREAS, Many of the owners of the property so condemned, have taken and accepted the damages awarded, and none of the owners of the lots and blocks in said additions have at any time appealed from or excepted to said awards of damages, which sums of money are now and have been in the cus-

today of the sheriff of said county, of Pottawattamie up to this day since the said condemnation; and

WHEREAS, Some question is being made as to the regularity and legality of the proceedings of said city of Council Bluffs in condemning said real estate for Fairmount Park on the ground that said city had no right to condemn and appropriate the said real estate by a sheriff's jury, and it being a fact that said city caused notices to be served on the owners of said real estate, provided by statute in service of original notice, and the awards were made and the money thereon paid to the sheriff as aforesaid; therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the condemnation of said Williams' 2nd Addition and a part of Snow and Green's Addition to the city of Council Bluffs for park purposes by the city of Council Bluffs, be and the same is hereby legalized and made valid and that all the proceedings in said condemnation and all the acts of said city pertaining thereto are hereby legalized and made valid, to the same extent and effect as though said proceedings of condemnation had been in all respects regular and in full compliance with law. Condemnation of certain property legalized.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Daily Nonpareil* and *Daily Globe*, newspapers published at Council Bluffs, Iowa, said publication being without expense to the State. Publication.

Approved March 23rd 1888.

I hereby certify that the foregoing act was published in the *Daily Nonpareil* March 27, and the *Daily Globe* March 28, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 144.

LEGALIZING INDEPENDENT SCHOOL DISTRICT OF PANAMA.

AN ACT to Legalize the Organization and Official Proceedings of the Independent School District of Panama in Shelby County, Iowa. H. F. 305.

WHEREAS, Certain territory in the district township of Washington, Shelby county Iowa, was, in the month of July 1886, organized into an independent school district to be known as the independent district of Panama, composed of sections thirteen (13) fourteen (14) twenty-three (23) and twenty-four (24) and the north half of section twenty-five (25) and the north half section twenty six (26) and the east one half of section

(15) and the east one-half of section twenty two (22) and the northeast quarter of section twenty-seven (27), township eighty, north range forty west of the fifth principal meridian, comprising within its limits the incorporated town of Panama. A board of directors was duly elected and bonds issued by the authority of the electors of said territory and a school house built for said independent district, and other acts performed which by law devolved upon electors and directors of independent districts; and,

WHEREAS, Doubts have arisen concerning the legality of said independent district for the reason that the notices for the election of a separate organization did not contain a proper description of the said territory and for the reason the board of directors of the district township of Washington failed to keep a proper record of its proceedings in setting off said territory and calling an election therein and conducting said election as by law required, although said incorporated town of Panama contained at the time and now contains more than two hundred inhabitants within its corporate limits; therefore,

Be it enacted by the General Assembly of the State of Iowa:

Legalized.

SECTION 1. That the organization of the independent district of Panama of Shelby County, Iowa, the election of directors and the official acts of said directors be and the same are hereby legalized and made valid the same as though said independent district was organized in strict conformity with all requirements of law.

Publication.

SEC. 2. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa State Register and the Harlan Tribune, newspapers published at Des Moines, Iowa and Harlan Iowa without expense to the State.

Approved March 24, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 14, and *Harlan Tribune* March 28, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 145.

LEGALIZING ACTS OF TOWN COUNCIL OF AURELIA.

H. F. 487.

AN ACT to Legalize the Acts and Ordinances of the Town Council of the Incorporated Town of Aurelia, in Cherokee County, Iowa.

Preamble.

WHEREAS, The town council of the incorporated town of Aurelia in Cherokee County, Iowa, passed a resolution to put in

a system of water works in said town, known as the "High-pressure system," and,

WHEREAS, The contract for the erection of said water-works was made and the said water-works were partly put in under and by virtue of said contract, and,

WHEREAS, It was then discovered by the said town council that it was necessary to pass an ordinance before beginning the erection or putting in of said water-works in order to authorize said town council to erect and put in said water-works, and,

WHEREAS, The said town council did immediately enact and pass and properly publish, as provided by law, a certain ordinance known as "An ordinance for the formation, purchase, equipment, government and maintenance of water-works for Aurelia, Cherokee County, Iowa" and further known as ordinance No 17; therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all the official acts done and the said ordinance No 17 passed by the town council of the incorporated town of Aurelia in Cherokee County, Iowa, not in contravention of any law of the State of Iowa and pertaining to any of the official acts of said council in putting in said water-works, are hereby legalized and the same are hereby declared to be valid and binding the same as though the said ordinance had been duly passed as provided by law before the letting and contracting for the putting in of said water-works. Legalized.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Iowa State Register, a newspaper published at Des Moines Iowa and the Aurelia Sentinel a newspaper published at Aurelia, Iowa, such publication being without expense to the State. Publication.

Approved March 24, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 31, and the *Aurelia Sentinel* April 5, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 146.

LEGALIZING INCORPORATION AND ORDINANCES OF THE TOWN OF NORTHWOOD.

AN ACT to Legalize the Incorporation and Ordinances of the Town H. F. 444. of Northwood, Worth County, Iowa.

WHEREAS, The town of Northwood, Worth county, Iowa, embraces the following territory, to-wit: Commencing at the north- Territory described.

west corner of the north east quarter of the southeast quarter of section 29 in township 100 range 20 west of the 5th P. M., thence south 80 rods; thence west 20 rods; thence south 160 rods; thence east 260 rods; thence north 80 rods; thence east 18 rods; thence north 160 rods; thence west 258 rods to place of beginning in Worth county, Iowa; and,

Petition for incorporation.

WHEREAS; On the 5th day of May, 1875 the requisite number of the qualified electors of said town filed their petition in the circuit court of Worth county, Iowa, to be incorporated under the general incorporation laws of the State, and,

No copies filed.

WHEREAS, It is claimed that full compliance with the statute providing for the incorporation of towns was not had; and it is especially claimed that no copies of the record of the circuit court with reference to such incorporation or any papers pertaining to such incorporation were filed with the county recorder of said county and with the Secretary of State as required by section 423 of the code of the State of Iowa, and,

Doubts as to legality.

WHEREAS, Doubts have arisen as to the legality of said incorporation; of the election of its officers, as to the validity of the ordinances passed and other official acts done by the council of said town, therefore

Be it enacted by the General Assembly of the State of Iowa:

Legalized.

SECTION 1. That the incorporation of the town of Northwood, Worth county, Iowa, the election of its officers and all official acts done and ordinances passed by the council of said town, not in conflict with the laws of the State of Iowa, are hereby legalized and the same are hereby declared to be valid and binding the same as though the law had, in all respects, been strictly complied with relative to the incorporations of cities and towns.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Iowa State Register a newspaper published at Des Moines, Iowa, and the Worth County Index a newspaper published at Northwood, Worth county Iowa, without expense to the State.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 27, and the Worth County Index April 5, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 147.

LEGALIZING ORDINANCES OF THE INCORPORATED TOWN OF PETERSON.

AN ACT to Legalize the Ordinances of the Incorporated Town of H. F. 159.
Peterson, in Clay County, Iowa.

WHEREAS, Doubts have arisen as to the legality of the official acts and ordinances passed by the town council of the said incorporated town of Peterson, in Clay county, Iowa, by reason of the failure of the recorder of said town to record the yeas and nays on the suspension of the rules and upon the passage of ordinances, and the failure of the said recorder to record the order for the publication of ordinances, and the failure of the mayor of said town to sign the recorded ordinances of said town, and by reason of the fact that the publication of said ordinances have not been certified to, and the numbering of said ordinances was irregular in the publication thereof; and

Imperfect record.

WHEREAS, doubts have arisen as to the validity of such ordinances, on account of the apparent irregularity of such proceedings; therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all the official acts done and ordinances Legalized. passed by the trustees of the town of Peterson, in Clay county, Iowa within its authority not in contravention of any law of the State of Iowa, are hereby legalized, and the same are hereby declared to be valid, and binding, and shall have the same force and effect as though all laws defining the powers, and duties of cities and incorporated towns, pertaining to the matters hereinbefore mentioned, had been strictly complied with.

SEC. 2. This act being deemed of immediate importance Publication. shall be in force and effect from and after the publication in the Iowa State Register, a newspaper published in Des Moines, Iowa and the Peterson Patriot a newspaper published in Peterson, Iowa, such publication being made without expense to the State.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Peterson Patriot March 29, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 148.

LEGALIZING, INCORPORATION OF TOWN OF PRIMGHAR.

H. F. 484. AN ACT to Legalize the Incorporation of the Town of Primghar.

Petition for
Incorporation. WHEREAS, Frank A. Turner and 40 others, constituting a majority of the qualified voters of the town of Primghar, in the county of O'Brien and State of Iowa, did petition the district court of said county at the January term A. D. 1888, thereof to incorporate certain territory described in said petition as the incorporated town of Primghar, and on the 14th day of said January, it still being the January term of said term A. D. 1888, the court being fully advised in the premises, found that the territory described in said petition had more than thirty voters and upward of three hundred and fifty inhabitants embraced within its limits; and,

Plat changed. WHEREAS, After the said petition had been signed by a number of the qualified voters of the territory embraced therein, and before the same was filed in the district court, it was deemed best to change the said plat by erasing therefrom the S $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 36 in township 96, North of Range 41, west of the 5th P. M., in Iowa, the same being embraced in the original petition, and,

Validity
doubted. WHEREAS, The validity of the changing of said plat has been questioned and doubts have arisen as regards the legality of the changing of the said description has been and still is shrouded in doubt, therefore,

Be it enacted by the General Assembly of the State of Iowa:

Legalized. SECTION 1. That the matter in the incorporating the town of Primghar, in the county of O'Brien, under the general incorporating laws of Iowa, are hereby legally ratified and confirmed and declared to be of full legal force and effect, the same as though had never been in doubt, and the territory as shown on the plat as now of record shall be hereafter legally known and recognized as the incorporated town of Primghar, clothed with all of the rights and privileges, and vested with all of the powers and authority granted by law to incorporated towns.

Publication. SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication as provided by law in the Iowa State Register published at Des Moines, Iowa, and the O'Brien County Bell, published at Primghar, Iowa, without expense to the State.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register May 10, and the O'Brien County Bell March 30, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 149.

LEGALIZING INCORPORATION OF TOWN OF PANAMA.

AN ACT to Legalize the Incorporation of the Town of Panama, S. F. 299.
Shelby County Iowa: the Election of its Officers, and all Acts
Done, and Ordinances passed by the Council of said Town.

WHEREAS the Circuit Court of Shelby County Iowa, on or about the 26th day of March 1886, upon a petition of not less than twenty-five inhabitants of the village of Panama Iowa, appointed commissioners to hold an election within the territory to determine the question of incorporating said town. Petition for
Incorporation.

WHEREAS said commissioners, on or about the 13th day of May 1886, held an election for the incorporation of said town at which a majority of the ballots cast at said election were "For incorporation," and said commissioners made due and legal return of said election to the Clerk of the Court of Shelby County Iowa, and an election was held thereafter at which the town council and other municipal officers were duly elected and assumed the duty of the respective offices, and enacted ordinances for the government of the incorporated town of Panama, and Incorporation.
Election.

WHEREAS, it appears that a certified copy of all the papers and record entries relating to the incorporation of the town of Panama, on file in the office of the Clerk of the Circuit Court of Shelby County Iowa, were not filed in the Recorder's office of Shelby County Iowa and in the office of the Secretary of State as by law required and were not so filed until the 14th day of February 1888, and by reason of which doubts have arisen as to the legality of the incorporation of the said town of Panama, and the acts done and ordinances passed by the town council of said town, therefore, Record not
filed.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the incorporation of said town of Panama, the election of its officers and all the official acts done and ordinances passed by the council of said town not in contravention with the laws of the State are hereby legalized and the same are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers and the passing of its ordinances. Legalized.

SEC. 2. This act being deemed of immediate importance shall be in force, and take effect, from and after its publication in the "Iowa State Register" and the "Harlan Tribune" news- Publication.

papers published at Des Moines Iowa and Harlan Iowa, without expense to the State.

Approved March 28th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 14, and the *Harlan Tribune* April 4; 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 150.

LEGALIZING, ACTS OF THE COUNCIL, AND CERTAIN ORDINANCES OF THE CITY OF RED OAK JUNCTION.

S. F. 365.

AN ACT Legalizing the Acts of the Council of the City of Red Oak Junction, in the County of Montgomery, State of Iowa, and Legalizing the Ordinances Passed and Adopted for the Government of said City.

Ordinances
and acts
passed.

WHEREAS, The city of Red Oak Junction in Montgomery County, Iowa, incorporated under the laws of Iowa, and through its Board of Trustees, passed and adopted ordinances and performed such other acts as properly devolved upon them by law; and

WHEREAS, Said city of the second class, and by its council passed and adopted ordinances for the government of said city, and performed such other acts, as they were by law authorized to do, and

Records in-
complete.

WHEREAS, In certain cases the records of said acts, and ordinances fail to show what members of the Council were present at the meeting when such ordinances were passed and adopted; that the rule was suspended by a three-fourths vote of the council as provided by law, and in certain cases that the ayes and nays were called on the passage of ordinances; therefore,

Be it enacted by the General Assembly of the State of Iowa:

Legalized.

SECTION 1. That the records and ordinances of the city of Red Oak Junction, being a city of the second class in the County of Montgomery, and State of Iowa, and the Acts of the Council of said city, not in contravention of law, be and the same are hereby legalized, and declared to be as valid and binding as though all of the requirements of law, had in all respects been complied with, and as fully as if the records showed a suspension of the rules by a three-fourths vote on the passage of ordinance of permanent nature, and as if they had been read on their several days, and the votes of the councilmen or trustees had been taken, yeas and nays.

Publication.

SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication

in the Red Oak Express, a newspaper published at Red Oak, Iowa, and Iowa State Register, a newspaper published at Des Moines, Iowa, without expense to the State.

Approved March 28th, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register, May 10, and the Red Oak Express, March 30, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 151.

LEGALIZING INDEPENDENT SCHOOL DISTRICT OF GREENWOOD.

AN ACT to Legalize the Organization of the Independent School District of Greenwood in Chickasaw Co. Iowa. H. F. 535.

WHEREAS, On the 2nd day of March 1888, the electors of sub-district, number two (2) of the district township of Bradford, Chickasaw Co. Iowa, held an election and by unanimous vote did declare the said sub-district to be an independent school district, having for its territory the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section No 15, and the S $\frac{1}{2}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the S $\frac{1}{2}$ of NE $\frac{1}{4}$ and the S.E. N.W. $\frac{1}{4}$ of section 16, and the S.E. $\frac{1}{4}$ and the S $\frac{1}{2}$ of N.E. $\frac{1}{4}$ of section 17, and the E $\frac{1}{4}$ of section 20, and all of section 21, and the NW $\frac{1}{4}$ and the W $\frac{1}{2}$ N.E. $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of section 22.

All in Township No 94, North Range 14 west being the boundaries of said Ind. Dist. of Greenwood, and,

WHEREAS, Doubts have arisen as to the legality of the organization of said independent district, therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That said independent school district of Greenwood in the county of Chickasaw and State of Iowa, be and the same is hereby declared to be fully and legally organized and incorporated with the boundaries as set forth in the preamble hereto attached the same as though all the provisions of the statute regulating the organization of independent school districts had been fully complied with, and the said district is hereby declared to have the lawful powers, rights and privileges that would have belonged to said district had the same been legally organized on the 2nd day of March A. D. 1888.

SEC. 2. All the acts of the defacto officers of said independent school district of Greenwood are hereby confirmed and are declared to have the same force and effect as though said organization had been fully and legally completed on the 2nd day of March A. D. 1888.

Publication.

SEC. 3. This act being deemed of immediate importance shall take effect from and after the date of its publication in the Iowa State Register a paper published at Des Moines, Iowa and the Nashua Post published at Nashua Iowa, without expense to the State.

Approved March 29th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* March 31, and the *Nashua Post* April 5, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 152.

LEGALIZING, ORDINANCES OF THE TOWN OF GRISWOLD.

H. F. 496.

AN ACT to Legalize Certain Ordinances of the Incorporated Town of Griswold, Cass County, Iowa and to Legalize Acts done Thereunder.

Number of town ordinances.

WHEREAS, In the month of April, 1881, the Council of the incorporated town of Griswold, Cass County, Iowa, regularly passed ordinances of said city numbering from one (1) to twenty eight (28) inclusive, and in the month of June, 1881, passed ordinances, number twenty nine (29) and thirty (30) and in the month of August, 1884, passed ordinance number thirty one (31), and

Ordinances not signed.

WHEREAS, Said ordinances were not properly signed by the presiding officer of the council of said incorporated town of Griswold, Cass County, Iowa, as provided by section four hundred and ninety-two (492) of the code of 1873, prior to the publishing thereof, but were published without the signature of the presiding officer of the said Council; and,

WHEREAS, all of said ordinances were in fact published in the *Griswold Advocate*, a newspaper published within the incorporated town of Griswold, Cass County, Iowa, as provided by statutes, with the omission as above set forth, and,

WHEREAS, Doubts have arisen as to whether said ordinances were legally published for the reason that the signature authenticating them was not properly annexed thereto when published: therefore,

Ordinances legalized.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That said ordinances of the incorporated town of Griswold, Cass County, Iowa, except those conflicting with the laws of the State of Iowa, if any there be, and the same are declared legal and binding, and all acts done in pursuance of said ordinances are hereby declared legal and binding to the same extent as though said ordinances had been

properly signed by said presiding officer prior to their publication and the signature authenticating the same had been published therewith.

SEC. 2. This act being deemed of immediate importance, Publication. shall be in full force and effect from and after its publication in the Iowa Capital, a newspaper published at Des Moines, Iowa, and the Griswold American, a newspaper published at Griswold, Iowa. Such publication to be without expense to the State.

Approved March 29th, 1888.

I hereby certify that the foregoing act was published in the Iowa Capital March 31, and the *Griswold American* April 4, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 153.

LEGALIZING, INCORPORATION OF TOWN OF HOLSTEIN.

AN ACT to Legalize the Incorporation of the Town of Holstein. H. F. 478.

Preamble. WHEREAS, Certain questions have arisen in relation to the legality of the incorporation of the town of Holstein in Ida County Iowa, arising out of the alleged facts that at the election, at which was submitted the question of incorporation of said town, certain votes were cast which were not counted by the judges of said election either for or against incorporation because of indefiniteness, and,

WHEREAS, It is alleged that the publication of the ordinances of said town did not comply with the requirements of the statutes at that time, therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the incorporation of the said town of Hol Legalized. stein be and the same is hereby declared to be legal and valid to all intents and purposes, the same as though the laws relating to the incorporation of towns had in all respects been strictly complied with.

SEC. 2. This act being deemed of immediate importance, Publication. shall take effect and be in force from and after its publication in the Iowa State Register and the Holstein Advance newspapers published at Des Moines and Holstein, Iowa. without expense to the State.

Approved March 29, 1888.

I hereby certify that the foregoing act was published in the *Des Moines Register*, March 31, and the *Holstein Advance*, April 5, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 154.

LEGALIZING, ORDINANCES OF THE TOWN OF PANORA.

H. F. 468. AN ACT Legalizing the Acts of the Council of the Town of Panora, Guthrie County, Iowa and Legalizing the Ordinances Passed and Adopted for the Government of Said Town.

WHEREAS, The town of Panora, Guthrie County, Iowa, through its council passed and adopted ordinances and resolutions, and performed such other acts as properly devolved upon said council by law, and

Failure of records to show vote.

WHEREAS, In certain cases the records of said acts, ordinances and resolutions fail to show what members of the said council were present at the meeting when such acts, ordinances and resolutions were passed and adopted, that the rule was suspended by a three fourths vote of the said Council, and that in certain cases the ayes and nays were called on the passage of the said ordinances and resolutions; therefore

Be it enacted by the General Assembly of the State of Iowa:

Records, ordinances, resolutions legalized.

SECTION 1. That the records, ordinances and resolutions of the town of Panora in the county of Guthrie and State of Iowa, and the acts of the council of said town of Panora not in contravention of the law be, and the same are hereby legalized and declared to be valid and binding as though all the requirements of law had in all respects been complied with, as fully as if the said records showed that all provisions of law for the passage of resolutions and ordinances had been fully complied with by the council of said town of Panora.

Publication.

SEC. 2. This act to take effect and be in force from and after its publication in the Iowa State Register, a newspaper published at Des Moines, Iowa, and the Panora Umpire and Guthrie Vedette, newspapers published at Panora, Iowa, without expense to the State.

Approved March 29, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register May 9, Panora Umpire and Guthrie Vedette April 5, 1888.
FRANK D. JACKSON, Secretary of State.

CHAPTER 155.

LEGALIZING ORDINANCES OF TOWN OF KINGSLEY.

AN ACT to Legalize Certain Ordinances of the Town of Kingsley in Plymouth County, Iowa, and the Acts of its Officers Thereunder. H. F. 126.

WHEREAS, In the adoption of certain ordinances of the said town of Kingsley in Plymouth county, Iowa, certain irregularities are claimed to have been committed and it does not appear by the records that upon the adoption of the same the rule was suspended by a vote of three fourths of all the members elected to the council and that the said ordinances were passed by a vote of a majority of all the trustees and the ayes and nays do not appear to have been called and recorded upon such passage, and, Irregularities in record.

WHEREAS, Said ordinances have been duly enforced by the officers of the said town, and,

WHEREAS, On account of said irregularities in the adoption of said ordinances, doubts have arisen as to the validity of the same and the acts of said officers in the enforcement thereof, therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all ordinances of said town of Kingsley in Plymouth County, Iowa and all acts of any of the officers of said town in the enforcement thereof are hereby declared to be legal and valid in all respects and to the same extent as though in the adoption thereof no such irregularity had occurred and the said rule had been dispensed with by a proper vote and the said ordinances had been passed by a proper vote and the ayes and nays upon such passage had been duly called and recorded as though all said facts duly appeared by the record of the proceedings of said council. Acts and ordinances legalized.

SEC. 2. This act to take effect and be in force from and after its publication in the Des Moines Leader, a newspaper published at Des Moines, Iowa, and the Kingsley Times, a newspaper published at Kingsley in Plymouth County, Iowa, without expense to the State. Publication.

Approved March 30, 1888.

I hereby certify that the foregoing act was published in the Des Moines Leader April 4, and the Kingsley Times April 12, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 156.

LEGALIZING ORDINANCES OF TOWN OF ROCK RAPIDS.

H. F. 183. AN ACT to Legalize Certain Ordinances of the Town of Rock Rapids, Lyon County, and Acts done Thereunder.

Ordinances designated. WHEREAS, The council of the incorporated town of Rock Rapids, in Lyon county, Iowa, since may 1, 1885 passed ordinances numbered one (1), two (2), three (3), four (4), five (5), six (6) seven (7) eight (8), ten (10), eleven (11), thirteen (13) and an ordinance amending ordinance number five (5), and an ordinance amending ordinance number seven (7); and,

Records deficient. WHEREAS, The records of said town show a suspension of the rules on ordinance numbered (1), six (6), seven (7), eight (8), ten (10), eleven and the ordinance amending ordinance number seven, by a three fourths majority but fail to show the passage of said ordinances; and,

WHEREAS, Said ordinances were in fact passed; and

WHEREAS, The records of the town fail to show three readings or a suspension of the rule on ordinances numbered two (2) three (3), four (4), five (5), and the ordinance amending ordinance number five (5), and,

WHEREAS, The rules were in fact suspended on the passage of said last named ordinances by a three fourths majority; and,

WHEREAS, The records of said town show that ordinance numbered thirteen (13) was passed under suspension of the rules at a meeting where five members of the council of said town of Rock Rapids were present and shows five affirmative votes and no negative on suspension of the rules on passage on said ordinance; and

WHEREAS, Doubts have arisen as to the legality of said ordinances named; therefore,

Be it enacted by the General Assembly of the State of Iowa:

Ordinances designated and legalized.

SECTION 1. That ordinances numbered one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), ten (10), eleven (11), thirteen (13) and the ordinance amending ordinance number five and the ordinance amending ordinance number seven (7), of the incorporated town of Rock Rapids, Lyon County, Iowa, be and the same are declared legal and binding and all acts done in pursuance of said ordinances are hereby declared legal and binding to the same extent as though the records of said incorporated town of Rock Rapids, Lyon County, Iowa, showed that said ordinances numbered one (1) six (6), seven (7); eight (8), ten (10), eleven (11) and ordinance amending ordinance number seven (7) were passed on final passage;

and that the rules were suspended on the passage of said ordinances numbered two (2), three (3) four (4) five and ordinance amending ordinance number five (5); and that three-fourths of the council of said incorporated town of Rock Rapids, Iowa, voted to suspend the rules on passage of ordinance number thirteen (13).

SEC. 2. This act being deemed of immediate importance Publication. shall be in full force and effect from and after its publication in the *Des Moines Leader*, a newspaper published at Des Moines, Iowa and the *Review and Lyon County Reporter*, newspapers published at Rock Rapids, Iowa. Such publication to be without expense to the State.

Approved March 30, 1888.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 3, the *Rock Rapids Review* April 11, and the *Lyon County Reporter*, April 6, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 157.

LEGALIZING ORDINANCES OF TOWN OF CORNING.

AN ACT to Legalize the Ordinances of the Town of Corning, Adams H. F. 338.
Co. Iowa.

WHEREAS, The town council of the town of Corning, Iowa, passed certain ordinances, known as ordinances No 1 to No 19 inclusive, and the record of the passage of said ordinances fails to show that the yeas and nays were called on the passage of the same—when in fact they were so called but omitted from the record, and doubts have arisen concerning the legality of said ordinances by reason of the defect above stated; therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. All acts done and proceedings had in the passage of said ordinances and ordinances from No. 1 to No. 19 as passed, including the ordinances No 1 and No 19, are hereby legalized and given the same force and effect as if the yeas and nays as called were regularly entered upon the record or book of ordinances as required by law. Ordinances designated. legalized.

SEC. 2. This act being deemed of immediate importance Publication. shall take effect from and after its publication in the *Des Moines*

and made valid as though the specific requirements of the law had been complied with.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in *The Iowa State Register*, a newspaper published at Des Moines, Iowa, and the *Indianola Herald* a newspaper published at Indianola, Warren County, Iowa, said publication to be without expense to the State.

Approved April 3rd, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 25, and the *Indianola Herald* May 10, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 160.

LEGALIZING INCORPORATION AND ORDINANCES OF THE TOWN OF DEEP RIVER.

H. F. 602.

AN ACT to Legalize the Incorporation of the Town of Deep River, Poweshiek County, Iowa, the Election of its Officers and all Acts done and Ordinances Passed by the Council of said Town.

Doubts as to legality.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Deep River, Poweshiek County Iowa, the election of its officers and the ordinances passed by the council of said town; therefore

Be it enacted by the General Assembly of the State of Iowa:

Acts legalized.

SECTION 1. That the incorporation of the said town of Deep River, Poweshiek County, Iowa, the election of its officers, and all the official acts done, and the ordinances passed, by the council of said town, not in contravention with the laws of the State, are hereby legalized, and the same are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town the election of its officers and the passing of its ordinances.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Iowa State Register*, published at Des Moines, Polk County, Iowa and the *Montezuma Weekly Republican* published at Montezuma, Poweshiek County, Iowa, without expense to the State.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 10, and *Montezuma Republican* April 11, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 161.

LEGALIZING ORDINANCES OF THE CITY OF SHENANDOAH.

AN ACT to Legalize the Ordinances of the City of Shenandoah. H. F. 449.

WHEREAS, Doubts have arisen as to the legality of certain ordinances of the city of Shenandoah, Iowa, adopted by the council of the incorporated town and city of Shenandoah, by reason of the failure of the recorder of said town and clerk of said city, in some instances, to keep a full record of the proceedings and of the yeas and nays on a suspension of the rules on the adoption of such ordinances; and from failure, in some instances, to preserve the order and proof of publication of the same; and for failure, in same instances, to have ordinances recorded in the town and city ordinance book and duly authenticated by the presiding officer and recorder or clerk of said town or city; and by reason of the adoption of certain amendments to ordinances without embodying the section or ordinance to be amended or repealed; and,

Failure of recorder to keep accurate record.

WHEREAS, All ordinances of said town and city have been recently compiled and recorded, by the authority and direction of the city council, in Shenandoah Ordinance Book, Vol. I, as to the effect and validity of which certain doubts have arisen; therefore,

Ordinance book, vol. 1.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all ordinances adopted by the council of the town and city of Shenandoah which have not been repealed or amended by a subsequent ordinance and which are not inconsistent with the laws of Iowa, are hereby legalized, and shall be taken and deemed to be of the same force and effect as if they had been duly and legally adopted.

Ordinances legalized.

SEC. 2. The foregoing section shall be applicable to all printed ordinances of said town and city of Shenandoah published by its authority where the original ordinances or ordinance books are not in existence, so far as the same are compiled and recorded in Shenandoah Ordinance Book Vol. I.

Ordinance book, vol. 1 legalized.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register of Des Moines, Iowa, and the Shenandoah Post, a newspaper published in the city of Shenandoah, Iowa, without expense to the State.

Publication.

Approved April 3, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register May 11, and Shenandoah Post, April 12, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 162.

LEGALIZING ORDINANCES OF THE TOWN OF DOW CITY.

H. F. 619. AN ACT to Legalize certain Acts and Ordinances of the Council of the Incorporated Town of Dow City, Crawford county, Iowa.

Ordinances
not passed in
due form.

WHEREAS; Doubts have arisen in regard to the legality of certain ordinances in the town of Dow City in Crawford County, Iowa, adopted in the years 1879 to 1885 inclusive, because some of said ordinances were passed without having been read on three different days, or the rules dispensed with by a three fourth vote of the council in strict conformity with section 489 of the code: therefore

Be it enacted by the General Assembly of the State of Iowa :

Legalized.

SECTION 1. That said official acts and ordinances of the town council of the said town of Dow City be and the same are hereby declared to be legal and valid in all respects, as though the informalities above recited had not occurred.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Leader and Iowa State Register, two papers published at Des Moines, Iowa, without expense to the State.

Approved April 6th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 10, and the *Des Moines Leader*, April 14, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 163.

LEGALIZING ORDINANCES OF GRAND JUNCTION.

H. F. 184. AN ACT to Legalize the Ordinances of the Town of Grand Junction, State of Iowa.

Original ordi-
nances lost.

WHEREAS, Certain ordinances of the incorporated town of Grand Junction, of Greene County Iowa, have been duly recorded but the original ordinances have been lost; and with others, the record does not affirmatively show that they were passed by the proper majority of the town council, nor that the ayes and nays were properly called and recorded when in fact they were all passed by the legal majority upon call of the ayes and nays:

WHEREAS, The record omits to show that certain ordinances were read upon three different days, and that the rules were properly suspended requiring such reading, when in fact they were all read upon three different days or the rules were properly suspended as required by law; therefore Record deficient.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all acts resolutions and ordinances heretofore passed by the town councils of the said town, are hereby legalized and given the same force and effect as if the same had been passed in strict compliance with the law relating to the passage of ordinances by incorporated towns. Legalized.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and in the Grand Junction Republican, newspapers published in the State of Iowa, without expense to the State. Publication.

Approved April 6th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 18th, and the *Grand Junction Republican* April 18th, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 164.

LEGALIZING INCORPORATION OF THE TOWN OF LOHRVILLE.

AN ACT to Legalize the Incorporation of the Town of Lohrville S. F. 376. and the Corporate Acts and Ordinances thereof.

WHEREAS—In November 1882 legal steps were taken under the laws of the State of Iowa to Incorporate the town of Lohrville in Calhoun County under this corporate name of the Incorporated Town of Lohrville and the Circuit Court of Calhoun County Iowa at its term held in Said county in 1882 granted the decree prayed for asking that said town be Incorporated under the name of the Incorporated town of Lohrville and Steps taken to incorporate Lohrville.

WHEREAS said Incorporated town of Lohrville has levied and collected taxes and fines and; bought and sold property and done all acts usually performed by Incorporated towns and Collections.

WHEREAS said Incorporated town of Lohrville did on the 27th day of January in the year 1883 and at other subsequent regular meetings of the Council of said Incorporated town did enact and adopt ordinances for the control and government of said town and;

No record
filed with Sec-
retary of State.

WHEREAS no transcript of record and papers of Incorporation was filed with the Secretary of State as required by law, and;

WHEREAS—doubts have arisen as to the legality of all steps taken in said Incorporation of said town and as to its corporate acts and enactment and adoption of said ordinances. Therefore:

Be it enacted by the General Assembly of the State of Iowa:

Acts legalized.

SECTION 1. That its Incorporation and corporate acts and enactments and adoption of said ordinances with all alterations and amendments thereof adopted and enacted by it and all subsequent acts done by it in its said corporate capacity be and the same is hereby legalized to the same extent to all intents and purposes as though the law had been complied with in its original Incorporation and in its enactment and adoption of said ordinances and amendments thereto and alterations thereof as though the transcript of record and articles and papers of Incorporation had been filed in the office of the Secretary of State. Provided a transcript of the records and papers of incorporation, as required by Sec. 423 of the Code are filed with the Secretary of State within thirty days after the passage of this Act.

Publication.

SEC. 2. This Act being deemed of immediate importance shall be of force from and after its publication in the Iowa State Register and Lake City Blade, newspapers published in Des Moines Iowa and Lake City Calhoun Co. Ia. respectively, without expense to the State.

Approved April 6th, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 14, and Lake City Blade April 12, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 165.

LEGALIZING ORDINANCES OF STUART.

H. F. 547.

AN ACT to Legalize the Acts and Ordinances of Stuart in Guthrie and Adair Counties, Iowa.

Elections held.

WHEREAS, At the annual election of the city of Stuart, in the years A. D. 1883, 1884, 1885, 1886, and 1887, there was elected certain councilmen for said city, and

WHEREAS, Grave doubts have existed as to the citizenship of said persons so elected and as to their right to vote and hold office in said city, and

Ordinances
passed.

WHEREAS, While said persons so elected were acting as members of said council of said city of Stuart, a number of acts and ordinances for said city were passed by said city council and

WHEREAS, Grave doubts exist as to the legality and validity of said acts and ordinances so passed by said council while said persons were members thereof, therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the acts and ordinances of the city council of the City of Stuart for the years A. D. 1883, 1884, 1885, 1886 and 1887 and each and all the acts and ordinances passed by the city council of the city of Stuart during each and all said years be and they are each and all legalized and declared to be valid and of full force and effect to the same extent and as fully as if said councilmen had in fact and without doubt been citizens of the United States and eligible to such office. Legalized.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Stuart Locomotive, newspapers published in Des Moines and Stuart in the State of Iowa, without expense to the State. Publication.

Approved April 9th, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 26, and the Stuart Locomotive April 27, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 166.

LEGALIZING PROCEEDINGS TOWN COUNCIL OF MAXWELL.

AN ACT to Legalize the Proceedings of the Town Council of Maxwell Story County Iowa. H. F. 627.

WHEREAS, Doubts have arisen as to the validity of such ordinances on account of apparent irregularity of such proceedings therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all acts and proceedings of said council in the passage of such ordinances of the incorporated town of Maxwell not in contravention of any law of this State are hereby declared to be legal and valid and the said ordinances are declared to be of full legal force and validity in the same manner and to the same extent as though regularly adopted and passed as required by the provisions of the law. Acts of council legalized.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after the publication thereof in the Iowa State Register newspaper published in Des Publication.

Moines and the Maxwell Tribune newspaper published at Maxwell Story County Iowa, without expense to the State.

Approved April 10th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 29th, and *Maxwell Tribune* April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 167.

LEGALIZING INCORPORATION OF AUDUBON.

H. F. 81.

AN ACT to Legalize the Incorporation of the Town of Audubon in Audubon County Iowa: To Legalize the Election of the Officers of said Town: To Legalize the Official Acts of the Officers of said Town to Legalize the Ordinances of said Town and to Legalize the Assessments and Taxes Levied.

Proceedings
instituted for
incorporation.

WHEREAS: Under and by virtue of the provisions of chapter 10, Title IV of the Code of 1873, proceedings were instituted for the incorporation of the town of Audubon, in Audubon County, Iowa, and

Acts done by
officers.

WHEREAS under the incorporation of said town, officers were elected as provided by law, and

WHEREAS, the officers, and council of said town of Audubon, so incorporated, in the discharge of the duties imposed upon them have done and performed acts for the government and welfare of said town, and

Doubts as to
legality of in-
corporation.

WHEREAS, the council of said town has adopted and passed ordinances and has made assessments and levies of taxes both general and special, and

WHEREAS, doubts have arisen as to the legality of the incorporation of said town; as to the election of the officers of said town; as to the official acts of said officers; as to the ordinances adopted and passed by the council of said town; as to the assessments and levies of taxes made thereunder. *Therefore*

Be it enacted by the General Assembly of the State of Iowa:

Legalized.

SECTION 1. That the incorporation of the town of Audubon in Audubon County, Iowa, be and the same is hereby legalized; that all official acts of the officers of said town so far as the same are within the scope and power of officers under the laws of Iowa, are hereby legalized that all ordinances adopted and passed by the town council of the town of Audubon, not inconsistent with or in contravention of the laws of Iowa, are hereby legalized and made valid: that all assessments and levies of taxes made or directed by the council of said incorporated town within the authority and power of said incorporated town to

make, are hereby legalized and made valid and in all things aforesaid shall have the same force and effect and shall be so held and construed as though the law in all the foregoing particulars had been fully complied with.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register a newspaper published at Des Moines Iowa, and the Audubon County Republican, a newspaper published in Audubon Iowa. Said publication to be made without expense to the State. Publication.

Approved April 10th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* May 11, and the *Audubon County Republican*, April 19, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 168.

LEGALIZING ACTS BOARD OF SUPERVISORS OF JASPER COUNTY.

AN ACT Legalizing certain Proceedings of the Board of Supervisors of Jasper County—Iowa. S F. 357.

WHEREAS, Pursuant to an order of the Board of Supervisors of Jasper County—Iowa made at their July Meeting in 1877— for submitting to a vote of the electors of said county, at the general election in said year, the proposition for restraining stock from running at large in said county. Proposition at election.

WHEREAS, Said Board of Supervisors canvassed said vote and declared a majority in favor of the same.

WHEREAS, A doubt has arisen that the action of said Board of Supervisors is not valid, for the reason that the notice of election in such cases required by law was published but twenty seven days prior to the election.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the acts of the Board of Supervisors of Jasper county—Iowa, in the year 1877 in submitting and declaring the result of the vote of the electors of said county on the proposition for restraining stock from running at large, be and the same are hereby legalized and declared valid, to the same extent and in all respects, at the same would have been had all the steps required by law been taken. Election legalized.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Newton Journal and the Iowa State Democrat—newspapers published at Newton—Iowa—and in the Iowa State Register, a newspaper Publication.

published at Des Moines, said publication to be without expense to the State.

Approved April 10, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 17, the *Iowa State Democrat* April 12, and the *Newton Journal* April 11, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 169.

LEGALIZING ACTS OF CERTAIN INDEPENDENT SCHOOL DISTRICTS.

S. F. 423.

AN ACT to Legalize the Action of certain Independent School Districts.

Change of
time of
meeting.

WHEREAS, a change in the time of holding the annual meeting in certain independent school districts within the State was made prior to the annual meeting for the year 1888, and

WHEREAS, in some districts said annual meeting was held in said year in accordance with the statutes as the same existed before said change, at which meetings school officers were elected, authority voted to issue bonds, and other proceedings authorized by law at annual meetings of such school districts were had, and

WHEREAS, doubts have arisen as to the legality thereof, Therefore

Be it enacted by the General Assembly of the State of Iowa :

Proceedings
of annual
meeting
legalized.

SECTION 1. That the election of school officers, the voting of bonds, and all other proceedings had and done at such annual meetings in 1888, which by law were authorized to be had and done at annual meetings of such school districts, be and the same are hereby legalized and made valid to the same extent and with the same force as though said annual meetings had been called and held and notice thereof had been duly given in strict conformity to the law relating to such annual meetings.

Publication.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Iowa State Register* and *Des Moines Leader*, newspapers published at Des Moines, Iowa.

Approved April 11, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 17, and *Des Moines Leader* April 19, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 170.

LEGALIZING ACTS BOARD SUPERVISORS FAYETTE CO.

AN ACT to Legalize the Transfer of Certain Bridge Funds to General Fund by the Board of Supervisors of Fayette County Iowa. H. F. 623.

WHEREAS; The board of supervisors of Fayette, County, Iowa, on the 3rd day of April A. D. 1888, at a regular meeting of said board did transfer from the bridge fund to the general fund of said county the sum of ten thousand (10,000) dollars; and \$10,000 transferred to general fund.

WHEREAS; Doubts having arisen as to the legality of said transfer; therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the proceedings of the board of supervisors of Fayette County, Iowa, done and entered of record, in making said transfer, be and the same are hereby legalized and made valid, to all intents and purposes, as though said transfer of funds had been made in strict compliance of law. Transfer legalized.

SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa, without expense to the State. Publication.

Approved April 9th, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register May 10, and the Des Moines Leader April 17, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 171.

LEGALIZING INCORPORATION OF MANILLA.

AN ACT to Legalize the Incorporation of the Town of Manilla, Crawford Co. Iowa, the Election of its Town Officers and all Acts Done and Ordinances Passed by the said Town Officers. H. F. 577.

WHEREAS: Doubts having arisen as to the legality of the incorporation of the town of Manilla, Crawford County, Iowa, the election of its officers, and the ordinances passed by the council of said town; arising out of the alleged fact that one of the commissioners, viz: Mr. P. J. Garrison, appointed by the circuit court of Crawford Co. Iowa, to give notice of an election Doubts as to legality of incorporation.

upon the question of incorporation Oct. 3rd 1887, and again to hold an election for the purpose of electing officers for said town of Manilla, Crawford Co. Ia. on Nov. 4, 1887, in such case did not officiate as one of the commissioners and the vacancy was filled by substituting another to fill said vacancy; therefore

Be it enacted by the General Assembly of the State of Iowa:

Incorporation
legalized.

SECTION 1. That the incorporation of said town of Manilla Crawford County Ia., the election of its officers and all of the official acts done, and ordinances passed by the council of said town not in contravention with the laws of the State, are hereby legalized and the same are hereby declared to be valid and binding, the same as though the said commissioner P. J. Garrison, appointed by the circuit court of Crawford County, Iowa, had officiated at said elections.

Publication.

SEC. 2. This act being deemed of immediate importance, shall be in force and take effect from and after its publication in the Des Moines Leader and Manilla Register, newspapers published respectively in Des Moines and Manilla Iowa without expense to the State.

Approved April 6th, 1888.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 14, and the *Manilla Register* April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 172.

LEGALIZING ELECTION OF THE TOWN OF OSAGE.

S. F. 417. AN ACT to Legalize the Voting of Aid by Taxation in the Township of Osage, Mitchell County, Iowa, to the Winona and Southwestern Railway Company.

Election to aid
the W. & S. Ry
Co.

WHEREAS, Under the provisions of Chapter 159, Laws of the 20th General Assembly, an election was called upon the petition of a majority of all the freehold taxpayers of said township for an election to be held in the city of Osage, in said County, on the 21st day of March, 1888, to determine the question of whether or not a tax of five per cent should be levied upon and collected from the property of said township in aid of said Winona and Southwestern Railway Co, and

WHEREAS, Notice of said election was given as provided by statute; and

Result of elec-
tion.

WHEREAS, Said election was held on the 21st day of March, 1888, in accordance with said notice, at which election two hun-

dred and thirty votes were cast for taxation, and only seven against taxation; and

WHEREAS, Doubts have arisen concerning the legality of said election by reason of the fact that the same was held at one polling place only in said township of Osage, while the city of Osage, a city of the second class included within the limits of said township, is divided into four wards for general election purposes; therefore

Doubts as to legality.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the election held in the city and township of Osage in the county of Mitchell, State of Iowa, on the 21st day of March, 1888, for the purpose of voting on the question of aiding by taxation of the property in said township the said Winona and Southwestern Railway Co., together with the ballots cast, the canvass of votes, the declaring of the result of said election, and all acts and things done at said election be and the same hereby are legalized and made of the same force and effect as though the inhabitants of said city and township had voted at said election in the separate wards of said city, and separately in that part of said township, outside the said city of Osage.

Election legalized.

SEC. 2. This act shall take effect and be in force from and after its publication in the Iowa State Register and Osage News, newspapers published in the State of Iowa, without expense to the State.

Publication.

Approved April 6, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register April 14, and the Osage News April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 173.

LEGALIZING ORDINANCES OF SAC CITY.

AN ACT to Legalize Certain Ordinances of the Town of Sac City, H. F. 537. Sac County, Iowa, and Acts Done Thereunder.

WHEREAS, The council of the incorporated town of Sac City in Sac County, Iowa, have since March 19th 1875 passed ordinances entitled (1) An ordinance to prohibit stock from running at large, (2) An ordinance for the election, defining the duties and fixing the compensation of Marshal, (3) An ordinance defining certain nuisances and providing for the abatement thereof, (4) Prescribing the use of streets and regulating the planting of trees thereon, (5) Fixing the time for holding the regular meeting of the council of the incorporated town of Sac

Ordinances designated.

City, (6) To provide for the opening, widening, straightening and improvement of streets and alleys, (7) Defining duties of recorder, (8) Regulating the construction of chimneys and flues and prescribing the use of fire and building material, (9) Relating to the working of streets, alleys and highways, (10) To provide for the appointment of street commissioner and define his duties, (11) For draying, (12) Providing for peddlars [peddlers] etc. (13) Defining the fire limits, (14) To provide for fees and salary of mayor and councilmen, (15) To prevent and punish any one or more persons for conducting themselves in a disorderly or riotous manner; and

Records imperfect as to suspension of rules.

WHEREAS, The records of said town do not show that the rules were suspended and that the following ordinances were read three times, viz: the ordinances, "Defining certain nuisances and providing for the abatement thereof", "Prescribing the use of streets and regulating the planting of trees thereon", "Fixing the time for holding the regular meeting of the council of the incorporated town of Sac City", "To provide for the opening widening, straightening and improvement of streets and alleys", "Defining duties of the recorder": and

Records imperfect as to first and second reading.

WHEREAS, The records of the town do not show that the rules were suspended or that the following ordinances were read three times, and do not show the vote on the passing from the first to the second reading, nor from the second to the third, viz: the ordinances, "To prohibit stock from running at large," "For the election, defining the duties and fixing the compensation of marshal," "Regulating the construction of chimneys and flues and prescribing the use of fire and building materials;" and

Records imperfect as to vote.

WHEREAS, The records of the town do not show the vote on the suspension of the rules or on the passage from the first to the second nor from the second to the third reading on ordinances entitled as follows: "Relating to the working of streets, alleys and highways and providing a penalty for a failure to work the same;" "To provide for the appointment of street commissioner and define his duties;" "For draying;" "Providing for peddlars [peddlers] etc.;" "Defining the fire limits;" "To provide for fees and salary of mayor and councilmen;" and,

Vote on suspension of rules and final passage.

WHEREAS, An ordinance entitled, "An ordinance to prevent and punish any one or more persons for conducting themselves in a disorderly or riotous manner," was passed as shown by the records of said town under a suspension of the rules at a meeting where five members of the council of said town of Sac City were present and there were five affirmative votes and no negatives on suspension of the rules and for final passage of said ordinance; and,

WHEREAS, Doubts have arisen as to the legality of said ordinances as above specified by their titles; therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That ordinances, entitled "An ordinance to prohibit stock from running at large;" "An ordinance for the election, defining the duties and fixing the compensation of Marshal;" "An ordinance defining certain nuisances and providing for the abatement thereof;" "Prescribing the use of streets and regulating the planting of trees thereon;" "Fixing the time for holding the regular meeting of the council of the incorporated town of Sac City;" To provide for the opening, widening, straightening and improvement of streets and alleys;" "Defining duties of recorder;" Regulating the construction of chimneys and flues and prescribing the use of fire and building material;" "Relating to the working of streets alleys and highways;" "To provide for the appointment of street commissioner and define his duties;" "For draying;" "Providing for peddlars [peddlers] etc.;" "Defining the fire limits;" To provide for fees and salary of mayor and Councilmen;" "To prevent and punish any one or more persons for conducting themselves in a disorderly or riotous manner," said ordinances being ordinances of the incorporated town of Sac City, Sac County, Iowa, be, and the same are hereby declared legal and binding, and all acts done in pursuance of said ordinances are hereby declared legal and binding to the same extent as though the record of said incorporated town of Sac City, Sac County, Iowa showed that said ordinances entitled "Defining certain nuisances and providing for the abatement thereof;" "Prescribing the use of streets and regulating the planting of trees thereon;" "Fixing the time for holding the regular meeting of the council of the incorporated town of Sac City;" "To provide for the opening, widening, straightening and improvement of streets and alleys;" "Defining duties of the recorder," were passed under a suspension of the rules, and were read three times, and that the rules were suspended and that the following ordinances were read three times and that three fourths of the council of said incorporated town voted to suspend the rules and pass from the first to the second and from the second to the third reading, viz; ordinances entitled "To prohibit stock from running at large," "For the election, defining the duties and fixing the compensation of marshal," "Regulating the construction of chimneys and flues and prescribing the use of fire and building materials," "Relating to the working of streets, alleys and highways, and providing a penalty for a failure to work the same," "To provide for the appointment of street commissioner and define his duties," "For draying," "Providing for peddlars [peddlers] etc., Defining the fire limit," "To provide for fees and salary of mayor and councilmen," and that three fourths of the council of said incorporated town of Sac City, Sac County, Iowa, voted to suspend the rules on the passage of ordinance entitled "An ordinance to prevent

Ordinances
named and le-
galized.

Use of streets
and planting
trees.

Fire and build-
ing ordinance.

Fees and sal-
ary.

and punish any one or more persons for conducting themselves in a disorderly or riotous manner."

Approved March 30, 1888.

CHAPTER 174.

CLINTON AND ILLINOIS BRIDGE COMPANY.

H. F. 502. **AN ACT to Legalize the Organization and Acts of the Clinton and Illinois Bridge Company.**

Preamble. **WHEREAS**, Said corporation filed its articles with the Secretary of State of Iowa on February 26th A. D. 1887 in which it is stated that the general nature of the business of such corporation is the building of a bridge across the Mississippi River from the said city of Clinton to the opposite shore in the State of Illinois; but failed to make publication as provided by law: therefore

Be it enacted by the General Assembly of the State of Iowa:

Acts legalized. **SECTION 1.** That the organization and acts of said corporation are hereby legalized with the same effect as though such publication had been made: provided the same be done within three months from the taking effect of this act.

Publication. **SEC. 2.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader newspapers published in Des Moines Iowa without expense to the State.

Approved March 8th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 10, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 175.

LEGALIZING LEVY OF TAXES FOR 1886 AND 1887.

AN ACT to Legalize the assessment and Levy of Taxes for the H. F. 22.
Years 1886 and 1887 Made or Collected under Subdivision Two,
Section 796 of the Code as Amended.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the taxes assessed or levied by any county of this state for the years 1886 and 1887 under subdivision two of section 796 of the Code of Iowa as amended, not in excess of six mills on the dollar, are hereby legalized to the same extent as though such counties had had power to levy six mills on the dollar under said subdivision as amended. Tax for 1886, 1887, not in excess of 6 mills legalized.

Approved March 28, 1888.

CHAPTER 176.

LEGALIZING INCORPORATION OF THE BOONE VALLEY PURE BREED HORSE ASSOCIATION.

AN ACT to Legalize the Incorporation, of the Boone Valley Pure Bred Horse Association at Eagle Grove Iowa, the Election of its Officers and all Acts Done by it. S. F. 302.

WHEREAS the Boone Valley Pure Bred Horse Association at Eagle Grove Iowa organized and was incorporated March 7th 1887, and their articles of incorporation was duly filed in the Recorder's of Wright County, Iowa, March 8th 1887, but failed to file their Articles of Incorporation in the office of the Secretary of State until March 7th 1888. Failure to file with Sec. of State.

WHEREAS said Boone Valley Pure Bred Horse Association elected its officers, acquired and sold property and done other acts prior to the filing of its Articles of incorporation in the Secretary of State; therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the incorporation of said Boone Valley Pure Bred Horse Association at Eagle Grove, Iowa, the election of its officers and all the official acts done, not in contravention with the laws of Iowa, if a legal organization had been made, are hereby legalized and the same are hereby declared to be legal. Legalized.

be valid and binding the same as though the law had in all respects been strictly complied with in the incorporation of said association, the election of its officers, and all other official Acts done by it.

Publication.

SEC. 2. This Act being deemed of immediate importance shall be in force and take effect from and its passage and publication in the Boone Valley Gazette and Eagle Grove Times, newspapers at Eagle Grove Iowa, and Iowa State Register newspaper published at Des Moines Ia. without expense to the State.

Approved April 3rd, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 5, *Boone Valley Gazette* April 12, and the *Eagle Grove Times* April 13, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 177.

LEGALIZING ACTS OF HAZEN WILSON.

H. F. 534.

AN ACT to Legalize the Acknowledgements of Conveyances of Power of Attorney made by Hazen Wilson Attorney-in-fact for Joseph Webster.

Wilson appointed attorney for Webster.

WHEREAS; Joseph Webster by power of attorney duly executed on the 13th day of June 1874 appointed Hazen Wilson his attorney in fact to sell and convey real estate in the city of Fort Madison, Lee County, Iowa which real estate has been conveyed by the said Hazen Wilson as such attorney in fact to divers persons and the acknowledgements to said conveyances are defective in form; therefore,

Be it enacted by the General Assembly of the State of Iowa:

Conveyances legalized.

SECTION 1. That the conveyances made by the said Joseph Webster, through his attorney-in-fact, Hazen Wilson, of and effecting [affecting] real estate in the city of Ft Madison, Lee County, Iowa, be and the same are hereby legalized and made binding and sufficient in law and equity as fully as though the acknowledgements to such conveyances had been originally executed in manner and form as provided by law.

Publication.

SEC. 2. This act shall take effect and be in force from and after its publication in the Des Moines Leader, a newspaper published in Des Moines Iowa, and the Daily Gem City, a

newspaper published in Ft Madison Iowa, without expense to the State.

Approved April 10, 1888.

I hereby certify that the foregoing act was published in the *Des Moines Leader* April 19, and the *Daily Gem City*, April 16, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 178.

LEGALIZING ACTS OF POLK COUNTY IN TRANSFER OF LAND.

AN ACT to Legalize Deed of Polk County Iowa to Judson K. Taylor H. F. 460.
for S. E. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ Sec. 24 T. 78, R. 23 West 5th P. M.

WHEREAS, Polk county Iowa did, to-wit: January 3d 1884 Preamble.
deed to Judson K. Taylor the S. E. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ Sec. 24, T. 78 R
23 west 5 P. M. the same having been acquired by foreclosure of a
school fund mortgage and sheriff's deed to the State of Iowa;
and

WHEREAS, Said county should have caused a patent to be issued to said Taylor instead of said deed; therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That said deed from Polk county Iowa to Judson K. Taylor for the South East quarter of North East quarter of section twenty four township seventy eight, range twenty-three west 5th P. M. Iowa, be and the same is hereby declared valid and passes to said Taylor his heirs executors or assigns the right title and interest of the State of Iowa therein.

Approved March 28th, 1888.

CHAPTER 179.

LEGALIZING THE ACTS OF JOSEPH A. ELLIOTT.

AN ACT to Legalize the Acts of Joseph A. Elliott, of Appanoose County as Notary Public. H. F. 492.

WHEREAS, Joseph A. Elliott of Appanoose county was duly Preamble.
appointed and qualified as a Notary Public, within and for Appanoose county, Iowa, on the 21st day of June 1881, and,

WHEREAS, His said commission and authority to so act as

such notary public terminated on the 4th day of July 1882, and,

WHEREAS, The said Joseph A. Elliott thereafter continued to act as such notary public after the termination of his said term of office, and

WHEREAS, Vast private interests are involved which will result in great pecuniary and other losses to divers and sundry persons by reason thereof unless said acts are legalized; therefore

Be it enacted by the General Assembly of the State of Iowa:

Acts legalized. SECTION 1. That all the official acts of Joseph A. Elliott as notary public done and executed by him since the 4th day of July 1882 be and the same are hereby declared to be legal, binding and valid the same as if the commission of said Joseph A. Elliott as such notary public had been in full force and effect, and he had been duly qualified as such notary public during said time, and that all rights vested and accrued or accruing under any of said acts be and the same are hereby declared valid and binding in law.

Publication. SEC. 2. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Daily Capital and Daily News, newspapers published at Des Moines Iowa and the Centerville Citizen a weekly newspaper published in Centerville Appanoose county, Iowa without expense to the State of Iowa.

Approved March 23d, 1888.

I hereby certify that the foregoing act was published in the *Daily Capital* and *Daily News* March 28 and the *Centerville Citizen* April 4, 1888.

FRANK D. JACKSON, *Secretary of State.*

TEMPORARY AND PRIVATE.

CHAPTER 180.

AGRICULTURAL EXPERIMENT STATION.

AN ACT Giving Legislative Assent to the Purposes of the Congressional Act of March 2, 1887 in Regard to the Establishment of Agricultural Experiment Stations in connection with Agricultural Colleges. S. F. 198.

WHEREAS the Congress of the United States by an Act approved March 2, 1887 and entitled "An Act to establish Agricultural Experiment Stations in connection with the Colleges established in the several states under the provisions of an Act approved July 2, 1862 and of the Acts supplementary thereto" did provide in Section 9 thereof "that the grants of moneys authorized by this Act are made subject to the legislative assent of the several states and territories to the purposes of said grants: Preamble.

Therefore—*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That such legislative assent be and hereby is given to the purposes of the grants authorized by the said Act of March 2, 1887 and that in accordance with the requirements thereof the state agrees to devote the moneys thus received to the establishment and support of an agricultural experiment station as a department of the Iowa Agricultural College, as provided in said act of Congress. Assent to establishment of Experimental Station.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, Newspapers published in Des Moines Iowa. Publication.

Approved March 1st, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register, March 3, 1888, and Des Moines Leader March 3, 1888.

FRANK D. JACKSON, Secretary of State.

CHAPTER 181.

PUBLISHING ORDINANCES OF THE CITY OF CAMANCHE.

- H. F. 621. AN ACT to Amend Section 35, Chapter 211, of the Acts of the Sixth General Assembly Relative to Publishing Ordinances of the City of Camanche.

Be it enacted by the General Assembly of the State of Iowa:

Sec. 35, chapter 211, acts Sixth General Assembly, Amended.

SECTION 1. That section 35, chapter 211 of the acts of the Sixth General Assembly is hereby amended by adding to the said section the following words: provided, however that if no such newspaper is published within the limits of such corporation, then and in that case, such ordinances may be published by posting up three copies thereof in three public places within the limits of the corporation two of which places shall be the post office and the mayors office of said city and such ordinances shall take effect and be in force at the expiration of ten days after they have been so published.

Approved April 6th, 1888.

CHAPTER 182.

TRUSTEES FOR CEMETERY AT INDIANOLA.

- S. F. 406. AN ACT Appointing Trustees for the Cemetery for which John M. Kendall Conveyed Land at Indianola Iowa and Declaring their Duties.

Conveyance of deed. WHEREAS: On the 28th day of October 1851, one John M. Kendall and wife, conveyed to the Citizens of Indianola and vicinity by Warranty Deed the following described premises to-wit:

Description. Two acres in the South West corner of the North East Quarter of the North East Quarter Section Thirty Six (36) In Township No. Seventy Six (76) North of Range Twenty Four (24) West of the 5th P. M. Iowa.

Conditions. AND WHEREAS: By the conditions of the said deed said premises were to be used for burial purposes, and

WHEREAS: since that time said premises have been used for burial purposes, and many bodies have been interred therein and,

WHEREAS: By the terms of the said deed, the owners of said property are denominated as Citizens of Indianola, and vicin-

ity, the title not being vested in any particular persons or person or corporation, and Title indefinite.

WHEREAS: The citizens of Indianola and vicinity, and those having friends buried on said ground, are desirous of having the title to said property vested in some certain and definite grantee for the purpose of having the property taken care of and preserved. Citizens desirous of a definite grantee.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the title to said property be and the same is hereby declared to be vested in the City of Indianola, Iowa. Title.

SEC. 2. That said City of Indianola, Iowa, through and by its duly constituted officers shall have the same power and control over said premises as they would have if they had purchased, platted and layed [laid] off said ground for cemetery purposes, under the existing laws for the control of cemeteries in this State, except, that they shall not have authority to remove any bodies interred in said cemetery from the places where they are now interred. City to have control.

SEC. 3. That all laws now in force, regulating the care, custody, control and protection of public cemeteries in this State shall apply to the management and control of the cemetery situated on the premises above described. State laws to apply.

Except that said premises are to be used under the direction of the City of Indianola as a free burying ground for the citizens of Indianola, and vicinity. Free burying ground.

SEC. 4. This act shall have no force or validity unless the city council of Indianola shall place of record in the records of their proceedings on or before the 4th day of July 1888 an acceptance of the title to said premises under this act. Records to be made by city council.

Approved March 30th, 1888.

CHAPTER 183.

INDEBTEDNESS OF ANDREW ORPHAN ASYLUM.

AN ACT to Extend the Time for Paying the Indebtedness of the S. F. 116. Orphan Asylum at Andrew Iowa.

WHEREAS pursuant to chapter 159 of the Acts of the 14th General Assembly of the State of Iowa, the State loaned to the Orphan Asylum at Andrew Jackson Co. Iowa the sum of five (5) Thousand dollars for ten years without Interest and took a Mortgage upon the real estate of said orphan Asylum to secure the same, and \$5,000 loaned by 14th G. A.

Extension of
payment by
19th G. A.

WHEREAS The time for payment of said Loan was extended by the nineteenth (19) General Assembly for the term of four (4) years without Interest from the time that said Note and Mortgage became due, and

Constant
operation.

WHEREAS said orphan Asylum has been in orporation (operation) for a number of years, and has furnished a home and education to a large number of destitute orphan children in the State, and

Unable to pay.

WHEREAS said Orphan Asylum is still unable to pay said indebtedness without sale of its property and an abandonment of the object of its incorporation, therefore—

Be it enacted by the General Assembly of the State of Iowa:

Time of pay-
ment extended
4 years.

SECTION 1. That the time of Payment of said indebtedness of said Orphan Asylum to the State, is hereby extended for the period of four (4) years without Interest from the time, said Note and Mortgage became due, as extended by the nineteenth General Assembly. Provided however, if said Orphans Asylum shall be used or its property converted to any other use or purpose than of an Asylum for destitute orphan children, the whole amount of said indebtedness shall at once become due and payable.

Conditions.

Publication.

SEC. 2. This bill being deemed of immediate importance shall be in full force and effect from and after its publication in the Iowa State Register, a newspaper published in Des Moines Iowa, and in the Jackson Sentinel, a newspaper published at Maquoketa Iowa, without expense to the State.

Approved March 16, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register March 20, and the Jackson Sentinel March 22, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 184.

AUTHORIZING SALE OF AN ISLAND IN MISSISSIPPI RIVER.

H. F. 476.

AN ACT to Amend an Act, Approved March 20, 1882 Entitled an Act Authorizing the Executive Council to Sell and Convey an Island Formed by Accretion in the Mississippi River, and located in Sections 34 and 35, Township 78, Range 3, East of the 5th P. M., in Scott County, Iowa.

Be it enacted by the General Assembly of the State of Iowa:

Preamble in
regard to acts
of 19th G. A.

SECTION 1. That, whereas, the Nineteenth General Assembly passed an act, approved March 20, 1882, entitled An Act authorizing the Executive Council to sell and convey and Island formed by accretion in the Mississippi River, and located in

Sections 34 and 35, Township 78, Range 3, East of the 5th P. M., in Scott County, Iowa; and

WHEREAS, Said island was described in said act as being located in the north half of the southeast quarter of section 34 and the north half of the southwest quarter of section 35, all in township 78, range 3, east of the 5th P. M., in Scott County, Iowa; and, Erroneous description.

WHEREAS, The said description is erroneous in this; that the said island to which said act was intended to have reference is located in the south half of the northeast quarter of section 34 and the south half of the northwest quarter of section 35, all in township 78, range 3, east of the 5th P. M., in Scott County, Iowa; and, Wherein erroneous.

WHEREAS, The Executive Council, under and by virtue of the authority conferred by said act, has sold the said island to the city of Davenport, Iowa, for the sum of one thousand and five dollars (\$1005.); therefore, Sold for \$1005.

SEC. 2. Upon payment into the state treasury of the sum of one thousand and five dollars (\$1005.) by the city of Davenport, the Governor may execute and deliver to the said city of Davenport a patent conveying the right, title and interest of the State of Iowa in and to said island by the corrected description thereof. Patent to issue on payment therefor.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register, a newspaper published in Des Moines, Iowa, and the Davenport Tribune, a newspaper published in Davenport, Iowa. Publication.

Approved March 16, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Davenport Tribune* March 20, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 185.

LEASE OF LOT TO GOVERNOR'S GUARD.

AN ACT to Authorize the Governor to Lease Lot Seven in Block S. F. 284. Thirty three in the City of Des Moines to the Governor's Guard, Designated in the Military Organization of the State as Company A, 1thrd Regiment, Iowa National Guard.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the Governor be and he is hereby authorized, by and with the advice and consent of the Executive Council, to make on behalf of and in the name of the State of Iowa, a contract of lease of Lot number Seven (7) in Block number Lot No. 7, Block 33 Fort Des Moines leased.

Thirty-three (33) as designated on the original plat of the Town of Fort Des Moines, to the Military Company known as the "Governor's Guard" and designated in the Military organization of the State as Company A, Third Regiment Iowa National Guard, for a term not to exceed twenty five years and upon such terms and conditions as are specified in the next sections of this act, and such further conditions and covenants as the Executive Council may advise, and the parties to said contract may mutually agree on.

Lease executed in triplicate.

SEC. 2. Said contract of lease shall be executed in triplicate and must embrace amongst such other terms as the Executive Council may advise, the following covenants on the part of the Lessee, viz:

Conditions of lease.

First, that the said Lessee shall erect on the said lot, a good and substantial building, of such material, and according to such plan and specifications as the Executive Council shall in writing under the signature of the Governor approve of. Provided that no part of any appropriation made by the legislature to said lessee shall be used for any building or improvements upon said premises.

Uses of buildings.

Second, that said building shall be used, and occupied as an armory, drill hall, offices and reading rooms, by and for said Lessee only, and that the same shall never be used by said Lessee for any illegal or immoral purposes, and no rooms in or part of said building shall be sublet or temporarily rented or used by any person or organization other than the Lessee, without the consent of the Adjutant General of Iowa first had in writing, for such subletting.

State may take possession of building.

Third, In case of war, invasion, insurrection or riot which shall render necessary the calling into active service the military forces of the State, the Governor shall have the right in the name of the State to take possession of such building and premises, and retain the same during the continuance of such war, invasion, insurrection or riot and when suppressed, re-possession shall be given to said Lessee, the premises to be put in as good condition by the Lessor as when received by the state, ordinary wear and tear excepted. Further, that if for any reason the state should need said lot before the expiration of the lease herein provided for said lease may be terminated by the state paying for the improvements made by the Lessee. The value of which improvements to be determined by appraisers. The executive council to select one appraiser, and the Lessee to select one appraiser and the two so appointed shall select a third one.

Appraisers may be appointed.

Rental.

SEC. 3. A rental of one dollar per annum shall be reserved to the State as Lessor, and at the termination of said lease, the Lessee shall surrender possession of said lot, ground and buildings to the Governor for the use of the state, the lessee to receive such compensation for buildings and improvements, as the General Assembly may by law or resolution determine. But such lease may, at the option of the State as Lessor by the Exec-

Compensation for buildings.

utive Council, be renewed for periods not exceeding ten years for each renewal.

SEC. 4. The time when such buildings shall be commenced and the time within which the same shall be completed, shall be expressed in the lease, and any failure on the part of the Lessee to comply with any of the conditions named in this act or specified in said lease shall at the option of the Executive Council work a forfeiture of said lease, and entitle the Lessor, by the Governor, to oust the said Lessee and take possession of the premises aforesaid, but the Lessee shall be entitled to a full hearing before the Executive Council before any forfeiture is declared or enforced. Failure to comply with conditions.

SEC. 5. This act being deemed of immediate importance shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa. Publication.

Approved March 10th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* March 14, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 186.

GRANTING TITLE IN CERTAIN LANDS TO THE C. B. & Q. R. R. CO.

AN ACT Granting to the Chicago, Burlington and Quincy Railroad Company All the Title and Interest of the State of Iowa, in and to Certain Grounds on the Des Moines River in the City of Ottumwa, Wapello County, Iowa. H. F. 11.

WHEREAS, The Chicago, Burlington and Quincy Railroad Company is now engaged in constructing a large passenger depot building between Washington and Marion streets extended southerly toward the Des Moines River, in the said city of Ottumwa; and, Preamble.

WHEREAS, In order to secure the necessary approaches to said depot, and the necessary trackage facilities, the said railroad company recently purchased from Geo. W. Devin and others, heirs of Thomas Devin, and devisees of Elizabeth Devin, deceased, and procured a referee's deed for all the right, title, and interest claimed by them in the following described real estate in the said city of Ottumwa, to-wit: Bounded on the north by the south line of the right of way of the Keokuk and Fort Des Moines Railroad Company, leased to the Chicago, Rock Island and Pacific Railway Company as the same may be made to appear; and, on the west, by the east line of Washington street extended from Main Street in a southerly direction toward the Des

Moines River; said east line of Washington Street being further indicated by a stone monument planted September third, 1887, in the center of the south main track of the Chicago, Burlington and Quincy Railroad Company, as now located between said streets; and bounded on the easterly side by the west line of Court street, extending from Main street in a southerly direction towards the Des Moines River; said westerly line of Court street being further indicated by a stone monument planted, September third, 1887, in the center of the south main track of the Chicago, Burlington and Quincy Railroad Company, as now located between said streets; and bounded on the south by a line parallel with and thirty five (35) feet south of the center line of the south main track of the Chicago, Burlington, and Quincy Railroad Company, as now located between said Court and Washington streets; said south boundary being further described as thirty-five (35) feet south of a line projected between the two stone monuments aforesaid, and,

Other tracts
described.

WHEREAS, The said Chicago, Burlington and Quincy Railroad Company also in recent years purchased from the owners and claimants thereof the following other tracts of land in said city of Ottumwa, to-wit: Part of out lot thirteen (13) commencing at a point two hundred eighty-seven (287) feet south westerly from the east corner of Main and Marion streets, measured on the southeast line of Marion street, thence southeasterly (seventy feet southwest from and parallel to the center line of the Chicago, Rock Island and Pacific Railway) four hundred sixty two (462) feet to a point on the south-east line of Washington street produced, said point being two hundred ninety-four and one half (294½) feet south westerly from the east corner of Main and Washington streets, measured on the south east line of Washington street produced. Said last described bound being the south-west right of way line of said Chicago, Rock Island and Pacific Railway; thence south-westerly, along the south east line of Washington street produced, forty seven and six-tenths (47 6-10) feet to a point in said line which is north-east of and fifty (50) feet distant from (measured at right angles) the center line of the main track of the Chicago Burlington and Quincy Railroad Company; thence north-westerly fifty (50) feet from and parallel to the said last named center line, four hundred sixty-two feet to a point on the south-east line of Marion street which is three hundred twenty-six and four-tenths (326 4-10) south-westerly from the east corner of Main street and Marion St., measured on the south-east line of Marion street, said last described bound being the north east right of way line of said Chicago Burlington and Quincy Railroad Company; thence north-easterly along said south-east line of Marion street thirty-nine and four-tenths (39 4-10) feet to the place of beginning, containing about four hundred sixty-one, one thousandths (461-1000) acres; and also the south-west half (S. W. ½) of out lot fourteen (14) in the city of Ottumwa; all of which is required to secure the necessary trackage facilities and approaches to said depot building, and,

Description.

WHEREAS, Under certain recent decisions of the Supreme Court of Iowa, a question might arise as to whether the State of Iowa might not have some interest in a portion of the tracts of ground above described, now therefore, Supreme Court decisions.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That any right, title or interest which the State of Iowa may have, or might assert, in or to the above described tracts of land, or any part thereof, be, and the same is hereby granted and released to the Chicago, Burlington and Quincy Railroad Company. Right and title of State granted.

SEC. 2. This act being deemed of immediate importance shall be in force from and after its publication in Des Moines Leader and Iowa State Register, newspapers published in Des Moines, Iowa, said publication to be without expense to the State. Publication.

Approved March 23d, 1888.

I hereby certify that the foregoing act was published in the *Des Moines Leader* and *Iowa State Register* March 24, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 187.

NAME OF BOONESBORO CHANGED TO BOONE.

AN ACT to Change the Name of the County Seat of Boone County H. F. 483.
Iowa, from Boonsboro to Boone.

WHEREAS, An act of the legislature approved January 18, 1851, being chapter nineteen of the laws of A. D. 1851, was passed and provided that the county seat of Boone County Iowa be located by commissioners named therein; and Preamble.

WHEREAS, David Sweem, Marion County, Iowa and S. K. Scovill of Dallas County, Iowa, being two of the three commissioners so appointed, did on the 9th day of July, A. D. 1851, locate said county seat of Boone county as by law required on the northwest quarter of section No. Twenty nine (29) Township 84, Range 26 west of 5th P. M. in said county, and

WHEREAS, The territory so designated came within the corporate limits of the incorporated town of Boonsboro Iowa as the same was incorporated June 4th 1865, and

WHEREAS, Said incorporated town of Boonsboro Iowa, became by proper proceedings, in March A. D. 1887, annexed to the city of Boone Iowa and no conditions were mentioned as to the name the county seat of Boone County should have after such annexation; therefore

Be it enacted by the General Assembly of the State of Iowa:

Name changed SECTION 1. That the name of the county seat of Boone County Iowa shall be known and designated as Boone Iowa instead of Boonsboro, Iowa.
Approved March 23, 1888.

CHAPTER 188.

RELIEF OF WILLIAM H. BIRKHEAD.

S. F. 12. AN ACT for the Relief of William H. Birkhead, of Des Moines County, Son of John S. Birkhead, Late Private in Co. H., 1st Iowa Cavalry.

reamble. WHEREAS, Nancy J. Dolbee and Martha E. Dolbee, by their separate last wills and testaments, which were probated in Des Moines county in 1864 and 1865, devised to their nephew, William H. Birkhead and their niece Elizabeth P. Josephine Birkhead, minor children of John S. Birkhead, now deceased, late private in Co. H., 1st Iowa Cavalry, certain realty in Des Moines county, Iowa: the title thereof to vest in said legatees or to the survivor of them, provided that if said legatees die without issue the said realty shall be converted into money and the proceeds thereof be paid to the State Orphans' Asylum for the support and education of the orphans of soldiers of the State of Iowa; and

WHEREAS, The said Elizabeth P. Josephine Birkhead died unmarried and without issue: and

WHEREAS, That by a legal and proper interpretation of said wills it is doubtful whether the State could take anything under said wills upon the happening of said contingency; and,

WHEREAS, The said William H. Birkhead is the sole surviving legatee, and said possible contingent interest is a cloud upon his title; therefore

Be it enacted by the General Assembly of the State of Iowa:

Title described and relinquished. SECTION 1. That the title of Nancy J. Dolbee and Martha E. Dolbee, had at the time of their death, so far as by their last wills and testaments the same is liable to any contingent interest to the State Orphans' Asylum for the support and education of orphans of soldiers of the State of Iowa, in and to the east half of the southeast quarter of section twenty three (23) and the southwest quarter of section twenty-four (24) all in township seventy-two (72) north range two (2) west in Des Moines county, Iowa, be and the same is hereby relinquished to and vested in William H. Birkhead, son of John S. Birkhead de-

ceased, late a private in Co H 1st Regiment Iowa cavalry, in the war of 1861.

SEC. 2. That this act or the right herein vested, shall not affect or interfere with the rights of third persons, legal or equitable, which may have vested or arisen under the laws, judgments or contracts heretofore in force.

Approved April 18th, 1888.

CHAPTER 189.

AUTHORIZING PURCHASE OF LAND AT HOSPITAL FOR INSANE, INDEPENDENCE.

AN ACT Authorizing the Trustees of the Iowa Hospital for the Insane at Independence to Purchase 180 Acres of Land Adjoining the Lands now owned by the State. H. F. 149.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. The trustees of the Iowa Hospital for the insane at Independence are hereby authorized to purchase one hundred and eighty (180) acres of land adjoining that now owned by the State at that place and known as the Smyser farm, for the use of said hospital. Purchase of 180 acres of land authorized.

SEC. 2. The trustees shall ascertain from the Department of the Interior at Washington if there is any claim of the United States to said land or if it has been regularly located and patented to some one, and shall cause an examination of the Records of Buchanan county to be made and see if the title from the person who located said land and to whom it was patented by the United States is complete to the person now holding the title. When said title is found to be complete and perfect the President and Secretary of the Board of Trustees shall so certify and shall also certify the price to be paid for said land. Investigation as to title.

SEC. 3. There is hereby appropriated out of the money in the treasury not otherwise appropriated, the sum of six thousand five hundred (6500) dollars or so much thereof as may be necessary to pay for said land. Appropriation of \$6,500.

SEC. 4. On presentation of the certificates of the president and secretary as provided in section two (2) hereof, and a good and sufficient warrant deed for said land to the Auditor of State, he shall draw his warrant on the treasurer for the amount certified, not to exceed the amount above appropriated, in payment for said land. Warrant drawn.

SEC. 5. This act, being deemed by the General Assembly to be of immediate importance shall take effect from and after its Publication.

publication in the Iowa State Register and the Buchanan County Bulletin.

Approved April 11th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 21, and the *Buchanan County Bulletin* May 4.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 190.

EMPLOYMENT OF BLIND PEOPLE WITHIN THE STATE.

H. F. 300.

AN ACT to Provide for the Appointment of a Commission to Examine and Report to the Twenty Third General Assembly with Reference to the Employment of the Blind People Within this State.

Be it enacted by the General Assembly of the State of Iowa:

Commission appointed.

SECTION 1. That the Governor of the State is hereby authorized and empowered to appoint a commission of three suitable persons (one of whom shall be a woman) for the purposes and the duties hereinafter provided.

Experience and compensation of Commission.

SEC. 2. Said commissioners shall be citizens of the State of Iowa who have given attention to the instruction and employment of blind people in useful and industrial [industrial] arts. Said Commissioners shall receive as compensation for their services the sum of three dollars for each day actually employed and their necessary travelling expenses to be paid by the State Treasurer upon warrants to issue by the State Auditor on the order of the Executive Council and the itemized statement of each Commissioner shall be duly verified and filed with said Council and by said Council audited and approved before said order shall be given.

Duties of Commission.

SEC. 3. It shall be the duty of such Commissioners to examine the various institutions in which the blind are employed in the useful and industrial arts, the machinery and material used, the different departments and kinds of employment in which blind people are and may be usefully and successfully engaged, the products of such employment, the facilities within the State or that can be secured, and propositions or proposals with reference thereto, and such other matters as they may find bearing on the question of proper and practicable employment for the blind people within this State.

Report required.

SEC. 4. Said Commissioners shall on or before the first day of September 1889, make a report of such investigation including any plans, propositions or proposals, together with such recommendations as they may deem expedient. Said Report to

be made in writing to the Governor who shall cause the same to be printed for the use of the twenty third General Assembly.

Sec. 5. There is hereby appropriated out of any money in the treasury, not otherwise appropriated the sum of one thousand dollars, or so much thereof as may be necessary to carry out the provisions of this act. Appropriation to carry out law.

Approved April 18th, 1888.

CHAPTER 191.

TO APPORTION THE STATE INTO REPRESENTATIVE DISTRICTS.

AN ACT to Apportion the State into Representative Districts and H. F. 92.
Declaring the Ratio of Representation.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That one representative for every twenty four thousand inhabitants is hereby constituted the ratio of apportionment and that each representative district shall be as hereinafter described. Ratio of Representation.

SEC. 2. Lee County shall be the first district and entitled to one representative, 34,024. Lee, 1 Dist.

SEC. 3. Van Buren County shall be the second district and entitled to one representative, 16,170. Van Buren, 2 Dist.

SEC. 4. Davis County shall be the third district and entitled to one representative, 15,170. Davis, 3 Dist.

SEC. 5. Appanoose County shall be the fourth district and entitled to one representative, 16,941. Appanoose, 4 Dist.

SEC. 6. Wayne County shall be the fifth district and entitled to one representative 15,494. Wayne, 5 Dist.

SEC. 7. Decatur County shall be the sixth district and entitled to one representative, 15,083. Decatur, 6 Dist.

SEC. 8. Ringgold County shall be the seventh district and entitled to one representative, 12,780. Ringgold, 7 Dist.

SEC. 9. Taylor County shall be the eighth district and entitled to one representative, 15,978. Taylor, 8 Dist.

SEC. 10. Page County shall be the ninth district and entitled to one representative, 20,938. Page, 9 Dist.

SEC. 11. Fremont County shall be the tenth district and entitled to one representative, 15,921. Fremont, 10 Dist.

SEC. 12. Mills County shall be the eleventh district and entitled to one representative, 13,727. Mills, 11 Dist.

SEC. 13. Montgomery County shall be the twelfth district and entitled to one representative, 15,901. Montgomery, 12 Dist.

SEC. 14. Adams County shall be the thirteenth district and entitled to one representative 12,146. Adams, 13 Dist.

- Union, 14 Dist. SEC. 15. Union County shall be the fourteenth district and entitled to one representative 16,502.
- Clarke, 15 Dist. SEC. 16. Clarke County shall be the fifteenth district and entitled to one representative, 11,369.
- Lucas, 16 Dist. SEC. 17. Lucas County shall be the sixteenth district and entitled to one representative, 14,791.
- Monroe, 17 Dist. SEC. 18. Monroe County shall be the seventeenth district and entitled to one representative, 12,324.
- Wapello, 18 Dist. SEC. 19. Wapello County shall be the eighteenth district and entitled to one representative 25,803.
- Jefferson, 19 Dist. SEC. 20. Jefferson County shall be the nineteenth district and entitled to one representative, 15,995.
- Henry, 20 Dist. SEC. 21. Henry County shall be the twentieth district and entitled to one representative 17,862.
- Des Moines, 21 Dist. SEC. 22. Des Moines County shall be the twenty first district and entitled to one representative 35,733.
- Louisa, 22 Dist. SEC. 23. Louisa County shall be the twenty second district and entitled to one representative 11,926.
- Washington, 23 Dist. SEC. 24. Washington County shall be the twenty third district and entitled to one representative, 18,504.
- Keokuk, 24 Dist. SEC. 25. Keokuk County shall be the twenty fourth district and entitled to one representative, 23,318.
- Mahaska, 25 Dist. SEC. 26. Mahaska County shall be the twenty-fifth district and entitled to one representative, 27,131.
- Marion, 26 Dist. SEC. 27. Marion County shall be the twenty-sixth district and entitled to one representative, 23,419.
- Warren, 27 Dist. SEC. 28. Warren County shall be the twenty seventh district and entitled to one representative 17,868.
- Madison, 28 Dist. SEC. 29. Madison County shall be the twenty-eighth district and entitled to one representatives, 16,240.
- Adair, 29 Dist. SEC. 30. Adair County shall be the twenty-ninth district and entitled to one representative, 14,102.
- Cass, 30 Dist. SEC. 31. Cass County shall be the thirtieth district and entitled to one representative, 19,019.
- Pott'a, 31 Dist. SEC. 32. Pottawattamie County shall be the thirty first district and entitled to two representatives, 45,866.
- Harrison, 32 Dist. SEC. 33. Harrison County shall be the thirty-second district and entitled to one representative, 20,560.
- Shelby, 33 Dist. SEC. 34. Shelby County shall be the thirty third district and entitled to one representative 16,306.
- Audubon, 34 Dist. SEC. 35. Audubon County shall be the thirty-fourth district and entitled to one representative 10,825.
- Guthrie, 35 Dist. SEC. 36. Guthrie County shall be the thirty fifth district and entitled to one representative, 16 439.
- Dallas, 36 Dist. SEC. 37. Dallas County shall be the thirty sixth district and entitled to one representative, 20,050.
- Polk, 37 Dist. SEC. 38. Polk County shall be the thirty-seventh district and entitled to two representatives 51,907.
- Jasper, 38 Dist. SEC. 39. Jasper County shall be the thirty-eighth district and entitled to one representative, 25,247.

- SEC. 40. Poweshiek County shall be the thirty ninth district and entitled to one representative, 18,208. Poweshiek, 39 Dist.
- SEC. 41. Iowa County shall be the fortieth district and entitled to one representative, 18,190. Iowa, 40 Dist.
- SEC. 42. Johnson County shall be the forty first district and entitled to one representative, 23,046. Johnson, 41 Dist.
- SEC. 43. Muscatine County shall be the forty second district and entitled to one representative, 24,320. Muscatine, 42 Dist.
- SEC. 44. Scott County shall be the forty third district and entitled to two representatives, 41,956. Scott, 43 Dist.
- SEC. 45. Cedar County shall be the forty fourth district and entitled to one representative, 17,832. Cedar, 44 Dist.
- SEC. 46. Clinton County shall be the forty-fifth district and entitled to two representatives 33,661. Clinton, 45 Dist.
- SEC. 47. Jackson County shall be the forty sixth district and entitled to one representative, 22,839. Jackson, 46 Dist.
- SEC. 48. Jones County shall be the forty seventh district and entitled to one representative, 19654. Jones, 47 Dist.
- SEC. 49. Linn County shall be the forty eighth district and entitled to two representatives 40,720. Linn, 48 Dist.
- SEC. 50. Benton County shall be the forty-ninth district and entitled to one representative, 23,902. Benton, 49 Dist.
- SEC. 51. Tama County shall be the fiftieth district and entitled to one representative, 21,622. Tama, 50 Dist.
- SEC. 52. Marshall County shall be the fifty-first district and entitled to one representative, 25,036. Marshall, 51 Dist.
- SEC. 53. Story County shall be the fifty-second district and entitled to one representative, 17,527. Story, 52 Dist.
- SEC. 54. Boone County shall be the fifty-third district and entitled to one representative 24,972. Boone, 53 Dist.
- SEC. 55. Greene County shall be the fifty fourth district and entitled to one representative. 15,923. Greene, 54 Dist.
- SEC. 56. Carroll County shall be the fifty-fifth district and entitled to one representative. 16,329. Carroll, 55 Dist.
- SEC. 57. Crawford County shall be the fifty-sixth district and entitled to one representative, 16,131. Crawford, 56 Dist.
- SEC. 58. Monona County shall be the fifty-seventh district and entitled to one representative 12,178. Monona, 57 Dist.
- SEC. 59. Woodbury County shall be the fifty-eighth district and entitled to one representative 32,289. Woodbury, 58 Dist.
- SEC. 60. Ida County shall be the fifty-ninth district and entitled to one representative 9,012. Ida, 59 Dist.
- SEC. 61. Sac County shall be the sixtieth district and entitled to one representative, 12,741. Sac, 60 Dist.
- SEC. 62. Calhoun County shall be the sixty-first district and entitled to one representative, 9,836. Calhoun, 61 Dist.
- SEC. 63. Webster County shall be the sixty-second district and entitled to one representative, 19,987. Webster, 62 Dist.
- SEC. 64. Hamilton County shall be the sixty-third district and entitled to one representative, 14,075. Hamilton, 63 Dist.

- Hardin, 64 Dist.** SEC. 65. Hardin County shall be the sixty-fourth district and entitled to one representative, 18,526.
- Grundy, 65 Dist.** SEC. 66. Grundy County shall be the sixty-fifth district and entitled to one representative, 12,804.
- Blackhawk, 66 Dist.** SEC. 67. Blackhawk County shall be the sixty-sixth district and entitled to one representative, 23,860.
- Buchanan, 67 Dist.** SEC. 68. Buchanan County shall be the sixty-seventh district and entitled to one representative, 17,726.
- Delaware, 68 Dist.** SEC. 69. Delaware County shall be the sixty eighth district and entitled to one representative, 17,436.
- Dubuque 69, Dist.** SEC. 70. Dubuque County shall be the sixty ninth district and entitled to two representatives 45,496.
- Clayton 70, Dist.** SEC. 71. Clayton County shall be the seventieth district and entitled to one representative 26,853.
- Fayette 71, Dist.** SEC. 72. Fayette County shall be the seventy first district and entitled to one representative, 22,422.
- Bremer 72, Dist.** SEC. 73. Bremer County shall be the seventy second district and entitled to one representative 14,350.
- Butler 73, Dist.** SEC. 74. Butler County shall be the seventy third district and entitled to one representative 14,523.
- Franklin 74, Dist.** SEC. 75. Franklin County shall be the seventy fourth district and entitled to one representative 11,324.
- Wright 75, Dist.** SEC. 76. Wright County shall be the seventy fifth district and entitled to one representative 9,380.
- Humboldt 76, Dist.** SEC. 77. Humboldt County shall be the seventy sixth district and entitled to one representative 8,065.
- Pocahontas and Clay 77, Dist.** SEC. 78. Pocahontas (6152) and Clay (6438) Counties shall be the seventy seventh district and entitled to one representative, 12590.
- Buena Vista 78, Dist.** SEC. 79. Buena Vista County shall be the seventy eighth district and entitled to one representative 11,530.
- Cherokee 79, Dist.** SEC. 80. Cherokee County shall be the seventy ninth district and entitled to one representative 12,584.
- Plymouth 80, Dist.** SEC. 81. Plymouth County shall be the eightieth district and entitled to one representative 15,481.
- Sioux, 81 Dist.** SEC. 82. Sioux County shall be the eighty first district and entitled to one representative 11,584.
- O'Brien, 82 Dist.** SEC. 83. O'Brien County shall be the eighty-second district and entitled to one representative, 8,389.
- Palo Alto, Emmet and Dickinson, 83 Dist.** SEC. 84. Palo Alto (6,389) Emmet (2,781) and Dickinson (3,213) Counties shall be the eighty-third district and entitled to one representative, 12,383.
- Kossuth, 84 Dist.** SEC. 85. Kossuth County shall be the eighty-fourth district and entitled to one representative, 9,337.
- Hancock and Winnebago, 85 Dist.** SEC. 86. Hancock (5,089) and Winnebago (5,579) Counties shall be the eighty-fifth district and entitled to one representative 10,668.
- Cerro Gordo, 86 Dist.** SEC. 87. Cerro Gordo County shall be the eighty-sixth district and entitled to one representative, 12,688.
- Floyd, 87 Dist.** SEC. 88. Floyd County shall be the eighty seventh district and entitled to one representative 15,362.

SEC. 89. Chickasaw County shall be the eighty-eighth district and entitled to one representative 13,899. Chickasaw, 88 Dist.

SEC. 90. Allamakee County shall be the eighty-ninth district and entitled to one representative 18,335. Allamakee, 89 Dist.

SEC. 91. Winneshiek County shall be the ninetieth district and entitled to one representative 22,680. Winneshiek, 90 Dist.

SEC. 92. Howard County shall be the ninety-first district and entitled to one representative 9,305. Howard, 91 Dist.

SEC. 93. Mitchell County shall be the ninety second district and entitled to one representative 12,825. Mitchell, 92 Dist.

SEC. 94. Worth County shall be the ninety-third district and entitled to one representative, 8,257. Worth, 93 Dist.

SEC. 95. Osceola (3,995) and Lyon (4,007) Counties shall be the ninety-fourth district and entitled to one representative 8,002. Osceola and Lyon, 94 Dist.

Approved April 12, 1888.

CHAPTER 192.

AUTHORIZING SALE OF OLD CAPITOL BUILDING.

AN ACT to Authorize and Empower the Executive Council of the State of Iowa to Sell and Convey Lots No. Eleven (11) and Twelve (12) Block Six (6) Scott's Addition to the Town Des Moines Iowa. H. F. 625.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the Executive Council of the State of Iowa be and is hereby authorized and empowered to sell, and convey Lots eleven (11) and twelve (12) in Block six (6) Scotts addition to the town of Des Moines Iowa (being the property known as the Old Capitol Building) in such manner, and on such terms as may be deemed for the best interests of the State. And the Governor is hereby authorized to issue Patent to purchaser on full payment of purchase money. Said sale to be made by inviting sealed bids for said property. After advertising the sale thereof in the Iowa State Register and Des Moines Leader for not less than three weeks Provided that the executive council may reject any and all bids if they deem it for the interest of the State to do so. Old capitol building to be sold.

SEC. 2. Prior to sale as contemplated in this act the Executive Council is hereby authorized and empowered to lease the property of the State (as described in Section One (1) of this act) on such terms and for such purposes as may by them be deemed for the best interests of the State. Council may lease property.

SEC 3. This act being deemed of immediate importance shall be in force and take effect from and after its publication in the Publication.

Iowa State Register and Des Moines Leader newspapers published in Des Moines Iowa.

Approved April 13th, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 20, and *Des Moines Leader* April 19, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 193.

ONE-HALF MILL LEVY TO PAY STATE INDEBTEDNESS.

S. F. 390.

AN ACT to Provide for the Levy of One half ($\frac{1}{2}$) Mill State Tax for the Years 1888 and 1889 to Pay the Outstanding Indebtedness of the State.

Be it enacted by the General Assembly of the State of Iowa:

Board of super-
visors shall
levy $\frac{1}{2}$ mill ad-
ditional tax.

SECTION 1. That for the purpose of paying the outstanding indebtedness of the State, the Board of Supervisors of each county shall at their September Session, in the years 1888 and 1889 levy one half mill ($\frac{1}{2}$) State tax in addition to the tax directed to be levied by the executive council, and said tax shall be collected and remitted to the State treasury in the same manner as other state taxes.

Approved April 10, 1888.

CHAPTER 194.

APPROPRIATION AND DISTRIBUTION OF CERTAIN MONEYS.

S. F. 425.

AN ACT Entitled an Act to Appropriate and Make Disposition of Moneys which may come into the State Treasury in Pursuance to an Act of Congress Refunding to this State the Amount Paid to the General Government under the Direct Tax Act Approved August 5th 1861.

Be it enacted by the General Assembly of the State of Iowa:

Money which
may be rec'd
from Gen'l
Gov. trans-
ferred to school
fund.

SECTION 1. That there is hereby appropriated out of any moneys which may come into the State Treasury in pursuance of an act of Congress refunding to the State the amount paid to the General Government under the direct tax act approved August 5th, 1861, such sum as may be necessary at the time to pay the amount due, and which is payable under the constitution of this State, from the general government fund of the State to the school fund of the State; and the Auditor of State

is hereby authorized and directed, when said moneys shall have been received by the Treasurer of State, and upon the approval of the Executive Council, to draw his warrant upon the treasurer for the payment of the same and in such amount as shall be necessary for the purpose named, and such moneys shall thereafter be treated in all respects as other moneys in the school fund.

SEC. 2. After payment of the sums mentioned in the preceding section the balance of such moneys, if any there be, which may be received from the source mentioned in said section, and except the same may be otherwise specially appropriated by the Twenty Second General Assembly, shall be by the Treasurer of State placed in the general revenue fund of the State, and shall be treated in all respects as other moneys in such fund.

Approved April 11th, 1888.

CHAPTER 195.

EMPLOYMENT OF GEN. W. W. BELKNAP, STATE VS. GEN'L GOV'T.

AN ACT, Entitled "An Act Authorizing the Governor of the State to Arrange with General William W. Belknap for his Services in Prosecuting the Claims of this State against the General Government on Account of Raising and Enrolling Troops for the Service of the United States during the War of the Rebellion." S. F. 193.

WHEREAS in June 1886, the Third Auditor of the United States Treasury having requested that, if the State of Iowa possessed additional testimony which it desired to file in support of Outstanding Differences in the matter of the claims of the State against the General Government on account of raising troops for the suppression of the Rebellion, the same be submitted at as early a day as practicable, in as much as it was necessary to settle those claims before the meeting of the next Congress, and, Evidence to be submitted as soon as practicable.

WHEREAS, the Governor of the State having in October 1886, appointed General William W. Belknap as the Agent and Attorney of the State for the prosecution of those claims, and Amount of claim \$35,765.65

WHEREAS, the said claims amounting to the sum of \$35,765.65, and nothing having been done by the State for fifteen years towards their further prosecution, and much labor and close attention being required to secure their adjustment, therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the Governor of the State be and he is hereby authorized to arrange with Gen. William W. Belknap for a fee for his services in prosecuting the claims of this State

W. W. Belknap employed to prosecute claim.

against the General Government on account of raising and enrolling troops for the service of the United States during the war of the Rebellion, such fee to be contingent on recovery and not to exceed twenty five per cent of the amount recovered and paid to the State; *provided*, this act shall not be construed to apply in any way to the moneys that may be due to the State, or that may be claimed by it on account of the refunding of the direct tax levied upon and collected by the General Government therefrom under act of Congress approved August 5th 1861, or to any other moneys or claims than said claim on account of raising and enrolling troops.

Approved April 8th, 1888.

CHAPTER 196.

RELINQUISHING TITLE OF THE STATE IN THE DES MOINES RIVER LANDS TO THE UNITED STATES.

H. F. 549.

AN ACT to Relinquish All Right and Title of the State of Iowa to the United States in the So called River Lands, Except the Lands the Title to which was Certified by the United States to the State of Iowa by the Joint Resolution of Congress of March 2, 1861.

Land granted
for improve-
ment of river.

WHEREAS, It is alleged by an act of Congress on the 8th day of March, 1846, there was granted to the State of Iowa, to be held in trust, the odd numbered sections of land situated within five miles on either side of the Des Moines river in said state, for the purpose of improving the navigation of said river from its mouth to the Raccoon forks; and,

Conditions of
transfer to D.
M. N. & R. Co.

WHEREAS, It is alleged the State of Iowa subsequently made a contract with a corporation known as the Des Moines Navigation and Railroad Co., whereby the State of Iowa agreed to transfer said lands so held in trust to said company as fast as the same were earned in accordance with the terms of original the grant made by the United States to the State of Iowa, and only on the condition that said Des Moines river was made navigable by slack water from the mouth to the Raccoon forks; and,

Claims set up
by D. M. N. &
R. Co.

WHEREAS, It is alleged said Des Moines Navigation and Railroad Co. utterly failed to fulfill said contract made with the State of Iowa, or any part thereof, but set up a claim to the lands granted by said act of Congress, as though the work had been done and completed as required by the terms of the contract between the State and said Navigation and Railroad Co.; and,

Ruling of the
Com'r General
Land Office.

WHEREAS, It is alleged, in March, 1856, it was ruled by the Commissioner of the General Land Office and the Secretary of the Interior that the title to said lands remained vested in the

United States and had not passed under the terms of said grant to the State of Iowa; and,

WHEREAS, It is alleged many persons have purchased said lands, or parts thereof, or have pre-empted the same in accordance with the laws of the United States, and with the sanction and approval of the officers of the United States having supervision of the entry and pre-emption of government land; and,

Purchasers
and pre-
emptors.

WHEREAS, It is alleged again in 1868 said lands were by competent authority declared to be open for purchase under the laws of the United States relating to public lands, but were withdrawn before final proofs could be made on homestead and pre-emption claims, thereby defrauding innocent parties of their rights to said land; and,

Innocent parties
defrauded.

WHEREAS, It is alleged said Des Moines Navigation and Railroad Co. are and have been claiming title to all of said lands the same as if it had fully performed its said contract with the State of Iowa, and had completed the making of said river navigable as required by said contract, no part of which has been done; and,

Title claimed
by D. M. N. &
R. Co.

WHEREAS, It is alleged said Des Moines Navigation and Railroad Co. has sold and conveyed to various persons many tracts of said land, and for the consideration paid therefor has given to the purchasers, fraudulent titles which have been spread upon the records of the several counties wherein said lands are situated; and,

Fraudulent
titles.

WHEREAS, It is alleged through and by reason of the failure of said Des Moines Navigation and Railroad Co. to perform its contract with the State, said lands have been forfeited to the State of Iowa and are by this act intended to be by said State relinquished to the general government. Therefore,

Lands relin-
quished to the
general gov-
ernment.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the State of Iowa does hereby relinquish its trust and all right, title and interest whatever in and to said lands as acquired under and by virtue of the said several acts of the Congress of the United States, and by the several acts of the General Assembly of the State of Iowa, and that the said interest of the State of Iowa in and to all of said lands lying and being north of Racoon Fork is hereby reconveyed to the United States; provided that nothing in this act shall affect the title to the lands certified by the United States to the State of Iowa by the joint resolution of the Congress of the United States of date March 2 " 1861.

Right, title and
interest of the
State re-
linquished.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Publication.

Approved March 28, 1888.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader, March 29, 1888.

FRANK D. JACKSON, Secretary of State.

JOINT RESOLUTIONS

PASSED BY THE TWENTY-SECOND GENERAL
ASSEMBLY.

NUMBER 1.*Be it resolved by the General Assembly of the State of Iowa:*

That our representatives in the Senate and House of Representatives in Congress be requested to use their efforts to secure the passage of a bill which shall require that before judgments rendered in the Federal Courts sitting in the State of Iowa shall become liens upon real estate, transcripts thereof shall be filed with the Clerk of the Court in the County where the real estate is located and be properly indexed.

Approved Feb. 9th, 1888.

NUMBER 2.*Be it resolved by the Twenty-second General Assembly of the State of Iowa:*

That our Senators and Representatives in Congress be and are hereby instructed and requested to favor the immediate repeal of that part of the pension law adopted March 3rd 1879, known as the "Arrears Limit" and further we recommend that they use their best endeavors in the future pension legislation, to secure the enactment of Law granting to all honorably discharged Soldiers and Sailors of the late War a service pension and also to use their utmost endeavor to secure the immediate adoption of the Prisoners-of-War pension bill. And that the Secretary of State be instructed to furnish each of our Senators and Representatives in Congress with a copy of this memorial resolution.

Approved Feb. 22nd, 1888.

NUMBER 3.

JOINT RESOLUTION Extending the thanks of the General Assembly of Iowa to Col. Jed Lake for his zeal and ability in defending the Driven Well cases.

WHEREAS, in 1878, Col. Jed Lake, of Independence, Iowa, was employed by the farmers of Buchanan, Blackhawk and several other counties, to defend them in suits that had been commenced in the United States Circuit Court, for infringing the patent, commonly known as the Driven Well patent, and,

WHEREAS, said Lake pursued the defense of said cases, with great vigor and indomitable energy, until by his labor and the skillful presentation of the case, the United States Supreme Court, in November, 1887, held the said patent invalid, and

WHEREAS, by said decision, the people of the State of Iowa have been saved more than a million of dollars, and the people of the United States, more than two millions of dollars, in royalties that would have been exacted by the pretended owners of said patents if the decision had been made sustaining said patent, therefore,

Resolved, by the General Assembly of the State of Iowa, That the gratitude and thanks of the people of Iowa, are due to Col. Jed Lake for his skill, ability and perseverance in said cases; and the thanks of the General Assembly of the State of Iowa, are hereby tendered to Col. Jed Lake for his labor in behalf of the people of the State.

Resolved, That a duly engrossed copy of these resolutions, signed by the proper officers of the Senate and House of Representatives and the Governor and Secretary of the State with the great seal of the State affixed, be presented to Col. Jed Lake, as a token of our appreciation of his labors.

Feb. 4th, 1888.

NUMBER 4.

JOINT RESOLUTION No. 17. Contemplating the Permanent Retention at the Capital of the State of Iowa, of the Records of the Government Land Office in Des Moines.

WHEREAS, It has been the practice of the general government, upon the final discontinuance of all government land offices in a State, to remove the records of such offices to Washington D. C.

AND, WHEREAS, The best interests of the people of the State of Iowa require, that all records, pertaining to said State, shall be permanently retained at our State Capital; therefore,

Resolved by the General Assembly of the State of Iowa:

That our Senators in Congress be instructed, and our representatives requested to procure, if possible the passage of an act providing for the permanent retention at the Capital of the State, of the records of the government land office in Des Moines, Iowa, whenever the offices of Register and Receiver of said office shall be discontinued by the proper authorities, in pursuance of law. Said records to be turned over to the State of Iowa, and placed under the care and control of the Secretary of State, who shall provide for their safe-keeping and proper arrangement as public records.

Approved March 31st, 1888.

NUMBER 5.

MEMORIAL AND JOINT RESOLUTION No. 2.

WHEREAS, It is the first duty of governments to adopt such policies as will best promote the growth of national power and insure prosperity to the nation and its citizens, and,

WHEREAS, One of the means necessary to secure these results permanently is: that the lands of a nation should be owned and possessed by its citizens exclusively, that the income therefrom may be added to the aggregate wealth of the nation, and,

WHEREAS, Large amounts of the lands of the nation are owned and controlled by citizens of foreign nations, who owe no allegiance to our government, the income from such lands increasing the wealth of other nations, and the continuance of this evil will result in the introduction of foreign systems of land-lordism thereby oppressing the labor interests of our nation; therefore be it

Resolved by the House, the Senate concurring:

That the ownership of lands within the limits of any state or territory of the nation by non-resident aliens is an evil threatening the prosperity of the nation, and vitally affecting the interests of the citizens.

Especially is this true of those who seek to secure homes on the public domain.

And we respectfully ask our Senators and Representatives in Congress to endeavor to have submitted to the states for their action thereon, an amendment to the national constitution, providing that non-resident aliens shall not own, possess or control, either individually or as a member of any company or corporation, any land or real estate within the limits of any state or territory of the nation, and for the equitable extinguishment of all titles now held by non-resident aliens who shall continue to be such after the expiration of six years after the adoption of such amendment.

Resolved: That the Secretary of State, be instructed to transmit a certified copy of this preamble and resolution to each of our Senators and Representatives in congress.

April 3rd, 1888.

CONCURRENT RESOLUTIONS.

CONCURRENT RESOLUTION requesting Congress to Prohibit the Sale of Adulterated Lard and Require Statement of Actual Contents on Package Thereof and to Pass the Bill now Pending for that Purpose.

Be it resolved by the Senate the House concurring:

That our Senators and Representatives in Congress be requested to secure legislation that will prohibit the sale of adulterated lard throughout the United States unless on the package containing the same a true statement is given of the actual contents, and of the proportion of genuine lard therein; and that they be further requested to aid in the passage of any bill now before Congress having in view the purpose above indicated.

MEMORIAL AND CONCURRENT RESOLUTION Relating to the Election of United States Senators.

WHEREAS, The proper time for the election of United States Senators is uncertain by reason of the ambiguity in the language of Section fourteen, United States Statutes at large, in providing that such election shall be held "On the second Tuesday after the meeting and organization" of the State Legislature, leaving it uncertain which is intended, the temporary or permanent organization.

Therefore be it

Resolved by the Senate, the House concurring, That our Senators and Representatives in Congress be, and they are hereby requested to introduce and urge the adoption of an amendment to said Section fourteen, so that the election of United States Senators shall occur on the second Tuesday after the permanent organization of the two houses of the Legislature.

Resolved: That the Secretary of State be and he is hereby instructed to forward duly certified copies of the foregoing preamble and concurrent resolution, to each of our Senators and Representatives in Congress.

CONCURRENT RESOLUTION Relative to Des Moines River Lands.

WHEREAS, The 15th, 16th, 18th, 19th and 20th General Assemblies of the State of Iowa, by joint resolutions, duly approved by the Governor, petitioned the Congress of the United States for relief to the settlers upon what is commonly known as the Des Moines River Lands, and

WHEREAS, Grievous litigation is now pending in the Courts of the United States relating to the title and rights of the settlers to and upon said lands, upon which said settlers located in good faith, and have made valuable improvements and have for many years made their homes, and

WHEREAS, On account of the very great hardship that has been brought about by the conflicting decisions aforesaid, great disturbance and trouble has already arisen and is likely to arise unless some satisfactory and just action be taken by the State and general government relating to this subject, therefore

Be it resolved by the Senate of Iowa, the House of Representatives concurring :

That our Senators and Representatives in Congress, are hereby requested to favor the immediate passage of the bill, lately introduced in the Senate of the United States by Hon. James F. Wilson, and now pending in Congress, in so far as it has for its object to provide that the Attorney General of the United States to immediately commence proceedings or cause such proceedings to be instituted by suit, either in law or in equity or both as may be necessary and appear in the name of the United States so as to remove all clouds from the title to said lands in which suits any person or persons in possession of or claiming title to, any tract or tracts of land under the United States involved in such suits may at his or their expense unite with the United States in the prosecution of such suits, to the end that the title or titles of any person or persons claiming said lands may be forever settled.

CONCURRENT RESOLUTION in Relation to Swamp Land Indemnity.

WHEREAS, The provisions of the act of congress of March 2, 1855, as extended by act of congress of March 3, 1857, granting indemnity to the states for swamp and overflowed lands disposed of by the United States, are held not to apply to sales and locations made after March 3, 1857, and,

WHEREAS, A large amount of land properly falling to the state and counties in Iowa, under the swamp grant, have been disposed of by the government since March 3, 1857, thereby compelling the counties and

their grantees to abandon their claim to such lands or litigate with the purchasers of the government, and

WHEREAS, On the 8th day of February, 1888, the Hon. Mr. McRae, from the Committee on the Public Lands, made a Report to accompany bill (H. R. 6897) in the house of representatives in congress, to extend said indemnity provisions of said act of March 2, 1855, and making the same applicable to sales and locations made since March 3, 1857 which bill is pending in congress.

WHEREAS, Under the rulings of the department, certificates—called scrip, or indemnity scrip—issued for indemnity for swamp lands located with warrants, cannot be located on lands outside of the state, and there being no vacant land in Iowa on which scrip can be located, many of the counties in this state, after great expense, are unable to realize anything for their swamp lands so disposed of by warrant locations, and by that means are damaged to a large amount; therefore,

Be it resolved by the Senate of the State of Iowa, the House concurring:

That our senators be instructed and our representatives in congress be requested to use all proper and lawful means in their power to secure the passage of said bill (H. R. 6897) or by the enactment in some other bill, of provisions substantially as therein contained.

Resolved further, That the Secretary of State transmit to each of our senators and representatives in congress, a copy of this resolution.

SENATE RESOLUTION.

Resolved by the Senate of the Twenty second General Assembly of the State of Iowa; that

WHEREAS, the death of THOMAS J. POTTER has been announced and received by the General Assembly of Iowa with feelings of the deepest sorrow, and

WHEREAS, his life was devoted largely to the material interests of this State in the construction and extension of lines of railroad, the upbuilding of towns and the development of business enterprises that aided the growth and prosperity of our State. And, when the dark clouds of war lowered upon our country and the services of Iowa's loyal sons was needed to crush the rebellion, he enlisted in 1862 as a private in the 7th Iowa cavalry, and by his gallantry was promoted to the position of Captain and served with distinction until his discharge in 1866, and

WHEREAS, by his splendid exertions and natural ability he was elevated from an humble position in the service of the railroad company to that of Vice President of one of the greatest railways in the United States; therefore, be it

Resolved that earnestly desiring to show our mark of respect to the memory of THOMAS J. POTTER, and to manifest the high estimate in which he is held by the people through their representatives in this body, as a

citizen of Iowa, a brave and honorably discharged soldier, and as a worthy example for young men to emulate, we cause these resolutions to be spread upon the Journal of the Senate of the Twenty-second General Assembly.

Resolved that an engrossed copy of these resolutions be transmitted by the Secretary of State to Mrs. Thomas J. Potter at her home in Burlington Iowa.

NOTE—Chapter 72, on page 103, was approved April 11, 1888.

CERTIFICATE.

STATE OF IOWA, }
OFFICE OF SECRETARY OF STATE. }

I, FRANK D. JACKSON, Secretary of State of the State of Iowa, hereby certify that the acts and resolutions herein contained, are copied from the original rolls on file in this office, and that the same are true and correct copies thereof, except that the words inclosed by brackets [thus] have been inserted where it was evident that an omission had occurred. Words in *italics* (excepting the enacting clause, and the word *provided*, etc.) indicate that such words are either superfluous or erroneous, in the latter case the word or words supposed to be correct follow in brackets.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the seal of the State Department at Des Moines, this first day of June, A. D. 1888.

FRANK D. JACKSON, *Secretary of State.*

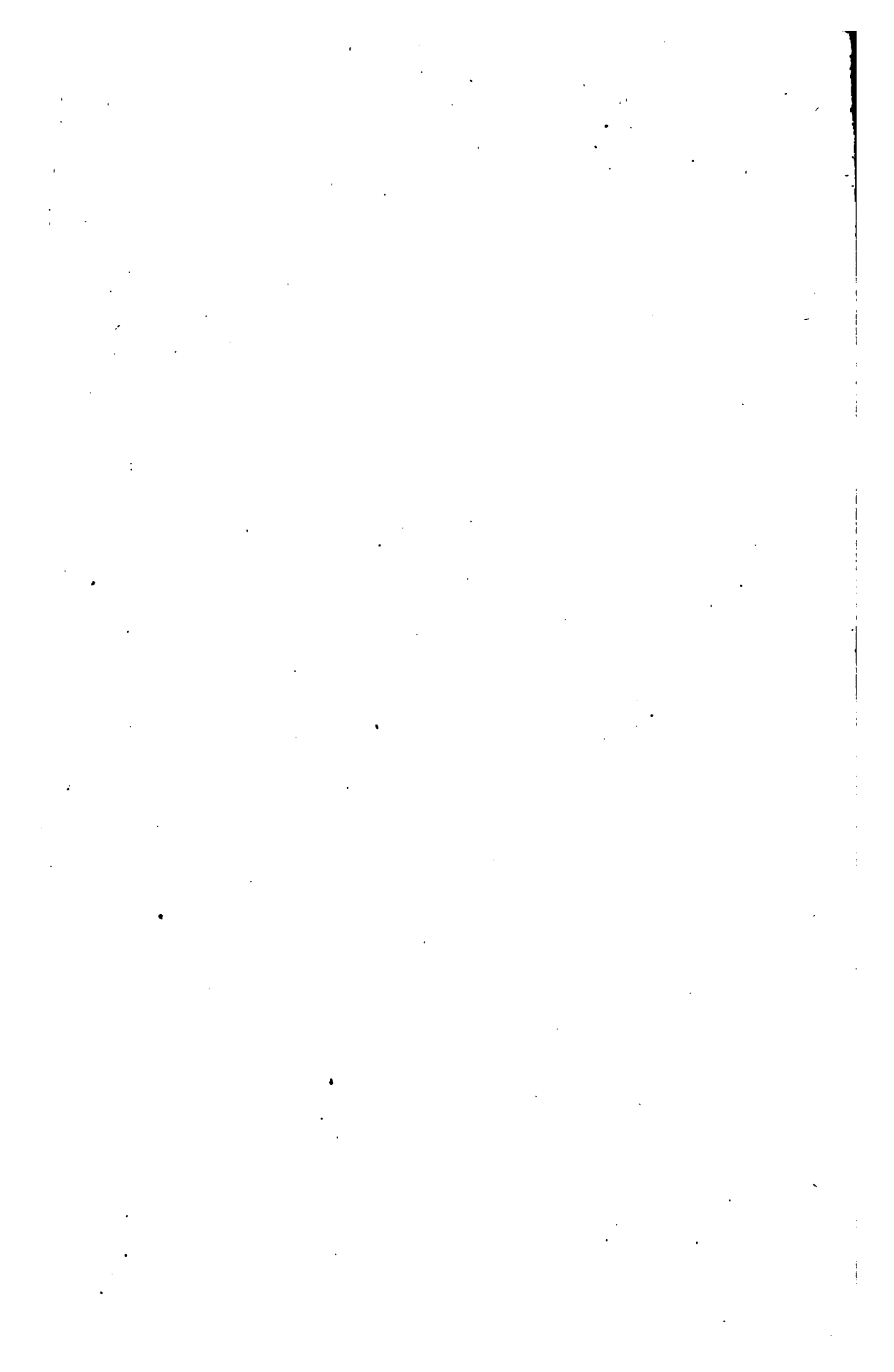
FINANCIAL STATEMENT.

STATE OF IOWA,
OFFICE OF AUDITOR OF STATE, }
DES MOINES, April 17, 1888. }

HON. FRANK D. JACKSON, *Secretary of State*:

SIR:—In pursuance of the requirements of section 18, article III, of the Constitution of Iowa, I have the honor to submit for publication with the laws of the Twenty-second General Assembly, the following statement of the receipts and expenditures of the public money for the biennial fiscal term commencing July 1, 1885, and ending July 30, 1887.

J. A. LYONS, *Auditor of State*.



AUDITOR'S STATEMENT.

CONDITION OF THE TREASURY.

The amount of funds in the treasury at the close of the last fiscal term, June 30, 1886, was \$211,398 90, and was distributed among the several funds as follows:

General revenue.....	\$ 147,151.94
Permanent school fund.....	400.00
Coupon fund.....	151.35
Agricultural College endowment fund.....	63,695 61

Total.....\$ 211,398.90

The amount received from all sources, during the fiscal term just closed, was \$3,327,981.33 which was distributed to the several funds as follows:

General revenue.....	\$3,211,983.63
Permanent school fund.....	75 00
Temporary school fund.....	38,121 28
Agricultural College endowment fund.....	70,914.41
Swamp land indemnity fund.....	6,887.03

Total receipts.....\$3,327,981.33

The receipts being added to the above balance on hand, makes the amount to be accounted for, \$3,589,380.23.

The disbursements during the past fiscal term were as follows:

General revenue.....	\$3,338,741 62
Temporary school funds.....	38,073.28
Swamp land indemnity fund.....	5,923.51
Agricultural College endowment fund under the provisions of chapter 193, acts of 1884.....	128,810.02
Coupon fund transferred to revenue per chapter 88, acts of 1886.....	151.35

Total disbursements.....\$3,511,499.76

Leaving a balance on hand June 30, 1887, of \$27,880.47 belonging to the several funds as follows:

General revenue.....	\$ 20,393.95
Permanent school fund.....	475 00
Temporary school fund.....	48 00
Swamp land indemnity fund.....	963.52
Agricultural College endowment fund.....	6,000.00

Total.....\$ 27,880.47

STATEMENT NO. 1.

OF RECEIPTS AND DISBURSEMENTS.

RECEIPTS.

General revenue—

From State tax 2½ mills	\$2,359,888.69
From interest on delinquent taxes	27,097.87
From insane dues from counties.....	411,840.57
From orphans' home dues from counties.....	62,692.17
From deaf and dumb dues from counties.....	3,631.89
From asylum for feeble-minded children, dues from counties.....	9,893.62
From college for the blind dues from counties.....	4,243.25
From penitentiary at Fort Madison, from warden.....	14,695.37
From peddlers' licenses from counties.....	2,194.70
From sales of laws, codes and revisions from counties.....	702.00
From insurance companies, for taxes.....	140,355.24
From insurance companies, for fees, by Auditor of State.....	51,248.60
From Secretary of State, for fees	10,016.90
From Clerk of the Supreme Court, for fees.....	6,104.61
From Superintendent of Public Instruction, for fees.....	33.00
From Western Union Telegraph Company for taxes.....	18,854.23
From Central Union Telephone Company, for taxes.....	1,200.00
From Iowa & Minnesota Telephone Company, for taxes.....	490.00
From Iowa & Union Telephone Company, for taxes.....	1,598.40
From Nebraska Telephone Company.....	210.00
From C. M. & St. P. R'y Company, telegraph taxes.....	146.22
From Dubuque & Dakota R'y Company, telegraph taxes.....	26.54
From Wisconsin, Iowa & Nebraska R'y Co., telegraph taxes.....	44.48
From sale of laws, codes and revisions, by Secretary of State	93.00
From sale of old furniture, paper, carpets, etc., by Secretary of State	284.48
From sale of old hatchery, by W. F. Shaw	320.00
From sale of old furniture, machinery and land office building, by Custodian	631.10
From Capitol Commissioners' refund, by Governor Larrabee	1,616.23
From Wm. Larrabee, on account of cablegrams	34.08
From Adjutant General, on account of overdraft militia fund	19.00
From Jackson Wisheart, on account of sale property, Rankin defalcation	2,500.00
From D. S. Sigler, on account proceeds redemption from tax sale land mortgaged to Agricultural College.....	17.20
From R. G. Reiniger, Senator, refund on mileage	2 85
From J. W. Cattell, Auditor, refund on Executive Council pay....	31.50
From Wm. Larrabee, on account of money found in vault	4.25
From S. T. Chesebro, Senator, refund, impeachment <i>per diem</i>	216.00
From Jno. McDonough, Senator, refund, impeachment <i>per diem</i>	216.00
From P. B. Wolfe, Senator, refund, impeachment, <i>per diem</i>	198.00
From C. W. Cochrane, Clerk, refund impeachment <i>per diem</i>	45.00
From E. D. Carlton, refund, by Aldrich, Fish Commissioner.....	7.50
From Railroad Commissioner, tax	40,302.67
From transfer coupon fund, acts Twenty-first General Assembly..	151.35
From Western Union Telegraph Company, on account overcharge, by Custodian.....	2.50
From temporary school fund.....	38,073.28
Balance on hand June 30, 1885.....	147,151.94
Total.....	\$3,359,110.67

DISBURSEMENTS.

General revenue—	
Redemption of Auditor's warrants.....	\$3,231,151.39
Interest paid on same.....	107,565.23
Balance in Treasury June 30, 1887.....	20,893.95
Total.....	\$3,359,110.57

AGRICULTURAL COLLEGE ENDOWMENT FUND.

RECEIPTS.

Amount received from sale of lands, etc.....	\$ 70,914.41
Amount on hand June 30, 1885.....	63,895.61
Total.....	\$ 134,810.02

DISBURSEMENTS.

Amount paid D. S. Sigler, Financial Agent, for investment in mortgage bonds.....	\$ 128,610.02
Balance in treasury June 30, 1887.....	6,000.00
Total.....	\$ 134,610.02

SWAMP LAND INDEMNITY FUND.

Amount received from U. S. government.....	\$ 6,887.03
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DISBURSEMENTS.

Amount paid Poweshiek county.....	\$ 3,867.73
Amount paid Wayne county.....	202.67
Amount paid Mitchell county.....	902.13
Amount paid Howard county.....	337.50
Amount paid Floyd county.....	613.48
Balance in treasury June 30, 1887.....	963.52
Total.....	\$ 6,887.03

PERMANENT SCHOOL FUND.

Amount received on contracts, etc.....	\$ 75.00
Amount on hand June 30, 1885.....	400.00
Total.....	\$ 475.00

NO DISBURSEMENTS.

Balance in treasury June 30, 1887.....	\$ 475.00
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TEMPORARY SCHOOL FUND.

Amount received from interest on State bonds and Eads' loan.....	\$ 38,121.26
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DISBURSEMENTS.

Amount apportioned to counties.....	\$ 38,073.26
Balance in the treasury June 30, 1887.....	48.00
Total.....	\$ 38,121.26

PHARMACY ENFORCEMENT FUND.

Amount received in fines from Commissioners of Pharmacy.....\$ 650.00

DISBURSEMENTS.

Amount paid Commissioners of Pharmacy for enforcement of law...\$ 598.66
Balance in treasury June 30, 1887.....\$ 53.34

Total\$ 650.00

RECAPITULATION OF BALANCES IN TREASURY JUNE 30, 1887.

General revenue.....\$ 20,393.95
Agricultural College endowment fund.....6,000.00
Swamp land indemnity fund.....963.52
Permanent school fund.....475.00
Temporary school fund.....48.00
Pharmacy enforcement fund53.34

Total.....\$ 27,933.81

Amount Agricultural College mortgage bonds in treasury June 30, 1887.\$ 241,175.00

Grand total\$ 269,108.81

STATEMENT No. II.

Of the amount of warrants issued and to what charged, during the fiscal term ending June 30, 1887.

NAME OF ACCOUNT.	AMOUNT.
Adjutant-General's salary	\$ 3,000.00
Attorney General's salary, per diem and clerk's fund	7,073.80
Auditor of State's salary	7,002.97
Auditor of State's deputy's salary	2,371.55
Auditor of State's clerk's fund	8,397.28
Contested elections	258.00
Clerk of the Supreme Court's salary	4,583.38
Clerk of the Supreme Court's deputy's salary	2,765.00
Clerk of the Supreme Court's clerk's fund	2,189.80
Circuit Judge, 1st Circuit, 1st District, salary...	3,483.66
Circuit Judge, 2d Circuit, 1st District, salary	3,483.35
Circuit Judge, 2d District, salary	3,300.41
Circuit Judge, 2d District, salary	3,483.34
Circuit Judge, 3d District, salary	3,483.76
Circuit Judge, 1st Circuit, 4th District, salary	4,399.99
Circuit Judge, 2d Circuit, 4th District, salary	3,850.01
Circuit Judge, 1st Circuit, 5th District, salary	3,483.30
Circuit Judge, 1st Circuit, 5th District, salary	3,483.43
Circuit Judge, 2d Circuit, 5th District, salary	3,483.63
Circuit Judge, 1st Circuit, 6th District, salary	3,666.63
Circuit Judge, 2d Circuit, 6th District, salary	3,483.34
Circuit Judge, 1st Circuit, 7th District, salary	3,666.63
Circuit Judge, 2d Circuit, 7th District, salary	3,493.56
Circuit Judge, 8th District, salary	3,666.63
Circuit Judge, 9th District, salary	3,666.63
Circuit Judge, 10th District, salary	4,216.99
Circuit Judge, 11th District, salary	3,483.78
Circuit Judge, 12th District, salary	3,483.32

AUDITOR'S STATEMENT.

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NAME OF ACCOUNT.	AMOUNT.
Circuit Judge, 13th District, salary.....\$	3,666.68
Circuit Judge, 14th District, salary.....	4,033.65
District Judge, 1st District, to January 1, 1887.....	3,666.68
District Judge, 2d District, to January 1, 1887.....	3,483.51
District Judge, 3d District, to January 1, 1887.....	3,666.68
District Judge, 4th District, to January 1, 1887.....	3,666.68
District Judge, 5th District, to January 1, 1887.....	3,483.42
District Judge, 6th District, to January 1, 1887.....	3,483.30
District Judge, 7th District, to January 1, 1887.....	3,483.30
District Judge, 8th District, to January 1, 1887.....	3,483.30
District Judge, 9th District, to January 1, 1887.....	3,849.98
District Judge, 10th District, to January 1, 1887.....	3,483.42
District Judge, 11th District, to January 1, 1887.....	3,483.30
District Judge, 12th District, to January 1, 1887.....	3,666.63
District Judge, 13th District, to January 1, 1887.....	3,850.45
District Judge, 14th District, to January 1, 1887.....	3,483.67
District Judge, 1st District, to June 30, 1887.....	1,041.66
District Judge, 1st District, to June 30, 1887.....	1,041.66
District Judge, 2d District, to June 30, 1887.....	1,041.66
District Judge, 2d District, to June 30, 1887.....	1,041.66
District Judge, 2d District, to June 30, 1887.....	1,041.66
District Judge, 3d District, to June 30, 1887.....	1,041.66
District Judge, 3d District, to June 30, 1887.....	1,041.66
District Judge, 4th District, to June 30, 1887.....	1,041.66
District Judge, 4th District, to June 30, 1887.....	1,041.66
District Judge, 4th District, to June 30, 1887.....	1,041.66
District Judge, 5th District, to June 30, 1887.....	1,041.66
District Judge, 5th District, to June 30, 1887.....	1,041.66
District Judge, 5th District, to June 30, 1887.....	1,041.66
District Judge, 5th District, to June 30, 1887.....	1,041.66
District Judge, 6th District, to June 30, 1887.....	1,041.66
District Judge, 6th District, to June 30, 1887.....	1,041.66
District Judge, 6th District, to June 30, 1887.....	1,041.66
District Judge, 7th District, to June 30, 1887.....	1,041.66
District Judge, 7th District, to June 30, 1887.....	1,041.66
District Judge, 7th District, to June 30, 1887.....	1,041.66
District Judge, 8th District, to June 30, 1887.....	1,041.66
District Judge, 9th District, to June 30, 1887.....	1,041.66
District Judge, 9th District, to June 30, 1887.....	1,041.66
District Judge, 9th District, to June 30, 1887.....	1,041.66
District Judge, 10th District, to June 30, 1887.....	1,041.66
District Judge, 10th District, to June 30, 1887.....	1,041.66
District Judge, 10th District, to June 30, 1887.....	1,041.66
District Judge, 11th District, to June 30, 1887.....	1,041.66
District Judge, 11th District, to June 30, 1887.....	1,041.66
District Judge, 11th District, to June 30, 1887.....	1,249.99
District Judge, 12th District, to June 30, 1887.....	1,041.66
District Judge, 12th District, to June 30, 1887.....	916.66
District Judge, 13th District, to June 30, 1887.....	1,041.66
District Judge, 13th District, to June 30, 1887.....	1,041.66
District Judge, 14th District, to June 30, 1887.....	1,041.66
District Judge, 14th District, to June 30, 1887.....	916.66
District Judge, 15th District, to June 30, 1887.....	1,041.66
District Judge, 15th District, to June 30, 1887.....	1,041.66
District Judge, 15th District, to June 30, 1887.....	1,041.66
District Judge, 15th District, to June 30, 1887.....	916.66
District Judge, 16th District, to June 30, 1887.....	1,041.66
District Judge, 16th District, to June 30, 1887.....	1,041.66
District Judge, 17th District, to June 30, 1887.....	1,041.66
District Judge, 18th District, to June 30, 1887.....	1,041.66
District Judge, 18th District, to June 30, 1887.....	1,041.66
District Attorney, 1st District, salary.....	950.00
District Attorney, 2d District, salary.....	1,050.00
District Attorney, 3d District, salary.....	950.00

NAME OF ACCOUNT.	AMOUNT.
District Attorney, 4th District, salary.....	\$ 1,150.00
District Attorney, 5th District, salary.....	950.00
District Attorney, 6th District, salary.....	1,150.00
District Attorney, 7th District, salary.....	1,100.00
District Attorney, 8th District, salary.....	1,150.00
District Attorney, 9th District, salary.....	1,000.00
District Attorney, 10th District, salary.....	950.00
District Attorney, 11th District, salary.....	1,000.00
District Attorney, 12th District, salary.....	950.00
District Attorney, 13th District, salary.....	950.00
District Attorney, 14th District, salary.....	1,050.00
Executive Council, members' salaries.....	4,504.59
Governor's salary and room rent.....	7,524.00
Governor's contingent fund to pay certain council.....	2,422.74
Governor's contingent fund.....	6,443.91
Governor's private secretary's salary.....	2,123.00
Janitor's salaries.....	12,625.00
Railroad Commissioners' salaries and expenses.....	32,930.18
Secretary of State's salary.....	2,123.00
Secretary of State's deputy's salary.....	2,765.00
Secretary of State's clerks' fund.....	9,338.75
State Mine Inspector's salary and expenses.....	7,354.31
State Librarian's and assistants' salaries.....	5,338.23
State Treasurer's salary.....	4,400.00
State Treasurer's deputy's salary.....	2,765.00
State Treasurer's clerks' fund.....	2,150.02
State Superintendent of Public Weights and Measures.....	100.00
State Veterinary Surgeon, per diem and expenses.....	9,606.98
Superintendent of Public Instruction's salary.....	4,400.09
Superintendent of Public Instruction, deputy's salary.....	2,765.00
Superintendent of Public Instructions' clerks' fund.....	3,229.19
Supreme Judges' salaries.....	42,333.54
Supreme Court contingent fund.....	3,182.09
Supreme Court Reporter's salary.....	4,000.00
Agricultural College, for improvements and repairs.....	16,215.84
Agricultural College, for Trustees' mileage and per diem.....	2,260.10
Agricultural College, financial agent's salary and expenses.....	4,451.88
Agricultural Societies, State aid.....	38,042.00
Arrest of fugitives.....	17,193.30
Asylum for Feeble-minded Children, support.....	71,993.30
Asylum for Feeble-minded Children, improvement, repairs and salaries.....	44,950.00
Asylum for Feeble-minded Children, for clothing.....	7,212.99
Asylum for Feeble-minded Children, Trustees' mileage and per diem..	639.00
Blind Institution, for clothing.....	1,498.82
Blind Institution, for improvements.....	10,065.00
Blind Institution, for support and current expenses.....	53,800.00
Bureau of Labor Statistics, Commissioner's salary and clerk hire.....	3,793.91
Benedict Home, enlargement and support.....	3,650.00
Dairy Commissioner's salary and expenses.....	2,585.43
Deaf and Dumb Institution, for clothing.....	2,137.36
Deaf and Dumb Institution, for building and improvements.....	4,450.00
Deaf and Dumb Institution, for support and current expenses.....	101,745.00
Des Moines river lands.....	1,615.65
Grounds for State Fair, purchase of same.....	770.00
Hospital for Insane, Independence, building and improvements.....	63,000.00
Hospital for Insane, Independence, Trustees' mileage.....	2,443.00
Hospital for Insane, Independence, county dues.....	236,626.00
Hospital for Insane, Mt. Pleasant, county dues.....	220,123.00
Hospital for Insane, Mt. Pleasant, improvements and repairs.....	87,500.00
Hospital for Insane, Mt. Pleasant, Trustees' mileage.....	1,221.30
Hospital for Insane, contingent fund.....	3,000.00
Hospital for Insane, Clarinda building.....	155,688.71

AUDITOR'S STATEMENT.

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NAME OF ACCOUNT.	AMOUNT.
Interest on school fund loans	\$ 38,025.26
Iowa Soldiers' Orphans' Home, improvements	8,950.00
Iowa Soldiers' Orphans' Home, support for soldiers' orphans	9,120.00
Iowa Soldiers' Orphans' Home, support of indigent children, for counties	53,212.99
Iowa Soldiers' Orphans' Home, Trustees mileage and per diem	529.000
Iowa weather service	2,452.92
Madison Educational Exposition	40.35
Miscellaneous expenditures	62,199.16
New capitol building	183,672.24
New capitol, care and management of	21,556.23
Custodian's expenses	20,787.01
New Orleans Exposition	3,987.00
Non-resident insane, removal of	117.52
Penitentiary at Anamosa, building and improvements	47,183.41
Penitentiary at Anamosa, support	64,056.39
Penitentiary at Anamosa, officers and guards	58,386.85
Penitentiary at Anamosa, transportation for discharged convicts	1,208.06
Penitentiary at Anamosa, reward for escaped convicts	112.50
Penitentiary at Ft. Madison, improvements and repairs	9,400.00
Penitentiary at Ft. Madison, officers and guards	57,003.41
Penitentiary at Ft. Madison, transportation for discharged convicts	2,700.00
Penitentiaries, visiting expenses	138.63
Propagation of fish, salaries and expenses and removal of hatchery	7,287.82
Prisoner's Aid Association	1,997.55
Providential contingencies	10,801.00
Relief of Metz	480.00
Rewards for arrests of murderers	3,300.00
School Journal subscription	287.00
Soldiers' Home (Marshalltown) building	25,828.44
State binding	43,862.75
State printing	60,046.68
State Board Educational examiners, mileage and expenses	818.12
State Board of Health, per diem and mileage and salaries of secretary and assistant	9,592.56
State Historical Society	2,000.00
State Horticultural Society	5,000.00
State Library	5,200.00
State militia	74,286.98
State Normal School, salaries, improvements and repairs	27,504.60
State Normal School, directors expenses	1,851.60
State Industrial School, Girls' department, improvements and repairs	16,550.00
State Industrial School, Boys' department, improvements and repairs	11,500.00
State Industrial School, support	89,330.00
State Industrial School, Trustees expenses	864.95
State University, Board of Regents' expenses	2,570.50
State University, building and improvements	2,000.00
State University, support	36,000.00
State University, endowment fund	70,000.00
Stationery contracts	24,251.54
Teachers Institutes	10,450.00
Twentieth General Assembly, special appropriations	1,503.34
Twenty-first General Assembly, special appropriations	47,647.83
Twenty-first General Assembly, members mileage	2,161.90
Twenty-first General Assembly, visiting committees' expenses	1,082.95
Twenty-first General Assembly, members and employes salaries	115,580.00
Refund to Pottawattamie county, over payment on insane	1,829.93
Refund to Marion county, over payment on insane	3,450.70
Total	\$2,921,612.81

Hardin	Edora	23 April	29 January	21 April	11 August	26 October	26
Harrison	Logan	3 March	22 January	7 March	18 August	26 October	21
Henry	Mt. Pleasant	9 March	29 January	1 June	18 August	26 October	4
Howard	Cresco	2 June	30 March	1 June	18 August	26 October	29
Humboldt	Dakota	24 April	29 January	29 April	1 September	17 November	29
Ida	Ida Grove	9 March	29 January	7 March	25 August	26 October	28
Iowa	Marengo	6 May	8 February	12 May	6 June	24 October	14
Jackson	Maquoketa	14 June	11 February	12 June	11 October	8 December	10
Jasper	Newton	17 March	30 January	16 March	26 September	3 October	18
Jefferson	Fairfield	6 April	30 January	4 April	8 September	23 November	18
Johnson	Iowa City	2 April	7 February	7 April	1 June	3 September	9
Jones	Anamosa	27 May	30 January	25 May	13 September	23 December	3
Keokuk	Keokuk	17 March	30 January	16 March	26 September	3 October	29
Kossuth	Algonia	5 May	30 March	4 May	6 October	15 December	9
Lee	Fort Madison	5 May	12 January	14 April	13 October	9 December	3
Linn	Marion	9 April	12 January	14 April	8 September	9 November	11
Louis	Wapello	17 March	30 January	16 March	18 June	3 October	14
Lucas	Chariton	9 March	30 January	16 March	26 September	3 October	29
Lyon	Rock Rapids	6 June	30 January	7 March	18 August	26 November	4
Madison	Winterset	14 May	30 January	12 May	14 October	1 December	9
Mahaaka	Oskaloosa	21 April	2 February	19 April	14 October	1 December	3
Marion	Knoxville	10 April	2 February	19 April	23 October	1 December	3
Marshall	Marshalltown	23 April	29 January	21 April	9 August	27 November	5
Mills	Glenwood	6 May	30 January	4 May	1 August	26 October	23
Mitchell	Ossage	30 May	18 March	6 May	14 October	8 December	17
Monona	Onawa	6 April	19 February	4 April	20 September	23 November	18
Monroe	Albia	20 April	3 February	18 April	15 September	23 November	3
Montgomery	Red Oak	24 April	3 February	23 April	22 October	7 December	5
Muscataine	Muscataine	3 April	30 January	1 April	2 August	27 November	5
O'Brien	Pringhar	9 April	30 January	1 April	16 September	10 November	19
Oceola	Staley	2 April	29 January	14 April	11 September	9 November	11
Page	Clarinda	24 April	30 January	7 March	18 August	26 October	23
Palo Alto	Emmettsburg	30 April	6 January	23 April	2 August	27 November	5
Plymouth	Le Mars	6 May	13 January	28 April	2 August	27 November	11
Pocahontas	Pocahontas Center	17 March	17 February	11 April	16 September	24 November	9
Polk	Des Moines	2 April	6 January	15 March	18 September	9 November	11
Pottawattamie	Council Bluffs	2 April	6 January	7 April	1 September	27 November	5
Poweshiek	Avoca	24 April	27 February	23 April	2 August	27 November	5
Ringold	Montezuma	14 April	27 February	13 April	28 September	17 November	35
Ringold	Mount Ayr	21 April	27 February	19 April	28 September	17 November	35
Sac	Sac City	6 April	27 February	11 April	22 September	16 November	18
Scott	Davenport	30 April	30 January	28 April	16 September	16 November	18
Shelby	Harlan	7 May	30 February	26 May	21 September	10 November	19
Sioux	Orange City	24 May	30 February	26 May	7 October	1 December	10
Story	Nevada	23 May	30 January	28 April	16 September	23 November	35
Stout	Nebraska	20 April	30 February	18 April	22 September	23 November	11
Tama	Toledo	13 April	30 February	25 May	13 September	23 December	9
Taylor	Bedford	20 May	30 February	25 May	8 September	16 November	11
Union	Afton	16 March	30 January	18 April	29 October	7 December	3
Van Buren	Keosauqua	20 April	30 January	7 March	18 August	26 November	4
Wapello	Ottumwa	9 March	30 January	8 April	9 August	27 November	5
Warren	Indianola	10 April	30 January	19 April	23 October	1 December	3
Washington	Washington	21 April	30 January	7 March	23 October	1 December	3
Wayne	Corydon	31 March	29 January	7 March	11 May	20 October	23

TIMES OF HOLDING TERMS OF THE DISTRICT COURT—CONTINUED.

COUNTIES.	TOWNS.	DATE. 1888.	DATE. 1888.	DATE. 1888.	DATE. 1888.	DATE. 1889.	DATE. 1889.	DATE. 1889.	DATE. 1889.
Webster.....	Fort Dodge.....	February 27	May 27	7 October	11 December	3 February	23 May	6 September	30 December
Winnebago.....	Forest City.....	March 6	May 6	14 July	16 November	19 March	4 May	13 July	15 November
Winneeshiek.....	Decorah.....	February 2	May 2	3 August	2 November	8 January	31 May	2 August	1 November
Woodbury.....	Sioux City.....	January 2	March 2	19 May	21 August	29 January	7 March	18 May	27 August
Worth.....	Northwood.....	February 20	May 20	7 July	9 November	5 February	18 May	6 July	8 November
Wright.....	Clarion.....	March 12	May 12	21 October	8 December	10 March	11 May	20 October	7 December

STATE OF IOWA—88:

I HEREBY CERTIFY that the foregoing is a full, true and complete list of the times of holding the District Courts in the State of Iowa for the years 1888 and 1889, as shown by the orders of the Judges of said courts; or, as shown by the order of the Chief Justice of the Supreme Court, now on file in my office, as required by section 6, chapter 134, laws of the Twenty-first General Assembly, and section 165, Code of 1873.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the seal of the Secretary of State of the State of Iowa, at Des Moines, this 16th day of November, A. D. 1887.

[SEAL]

FRANK D. JACKSON,
Secretary of State.

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